

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34837 of 2024

Arising Out of PS. Case No.-151 Year-2024 Thana- TURKAULIYA District- East
Champaran

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1. Punit Mukhiya Son of Nanhak Mukhiya Resident of Village - Ramsingh Chhatauni (Hasuaha), P.S.- Muffasil, District - East Champaran.
 2. Pramod Mukhiya Son of Hukum Mukhiya Resident of Village - Ramsingh Chhatauni (Hasuaha), P.S.- Muffasil, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh, Advocate
For the Opposite Party/s : Mrs. Rina Sinha, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 08-05-2024 Heard learned counsel for the petitioners and
learned APP for the State.

2. The petitioners seek bail in Turkauliya (Banjariya)
P.S. Case No. 151 of 2024, instituted for the offences punishable
under Sections 272, 273 of the Indian Penal Code and Section
30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 20 liters
liquor was recovered from bags which was in possession of the
petitioners near river side. The petitioners were apprehended on
spot.

4. Learned counsel for the petitioners submits that the
petitioners are innocent and have falsely been implicated in the



present case. No incriminating material have been recovered from the conscious possession of the petitioners. The petitioners have got no concern with the alleged recovery of liquor. It is further submitted that the alleged recovery has been made from an open place which is accessible to everyone. The petitioners were passerby of that way. The petitioners are in custody since 01.03.2024 and have got no criminal antecedent. There is no compliance of Section 100 of Cr.P.C.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioners.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioners, this Court is inclined to grant bail to the petitioners.

7. Let the petitioners be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Turkauliya (Banjariya) P.S. Case No. 151 of 2024.

(Rudra Prakash Mishra, J)

Rajorshi/-

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