

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36351 of 2024

Arising Out of PS. Case No.-49 Year-2024 Thana- MUZAFFARPUR (R.T) District-
Muzaffarpur

-
1. Kundan Kumar S/o- Late Ram Naresh Ram Village- Jitwarpur Nizamat Ps-
Nagar Dist- Samastipur
 2. Avinash Kumar son of Late Manna Ram Village- Jitwarpur Nizamat Ps-
Nagar Dist- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha, Advocate

For the Opposite Party/s : Mr. Umesh Lal Verma, APP

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

ORAL ORDER

2 13-05-2024 Heard learned counsel for the petitioners and
learned APP for the State.

2. The petitioners seek bail in Muzaffarpur P.S. Case
No. 49 of 2024, instituted for the offences punishable under
Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 318.07 liters
liquor was recovered from trolley bag. 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 seized trolley bag does not belong to the petitioners. The petitioners are in custody since 16.03.2024 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 Muzaffarpur P.S. Case No. 49 of 2024.

(Rudra Prakash Mishra, J)

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