

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35840 of 2024

Arising Out of PS. Case No.-53 Year-2024 Thana- BHORE District- Gopalganj

1. Mohit Singh @ Mohan Singh Son of Satya Bir Singh @ Satbir Resident of Village- Shivaji Colony House no.239 gali no 14, P.S.- Rohtak, Distt. - Rohtak, Haryana.
2. Birendra @ Virendra Son of Raj Kumar Resident of Village- Bahani Anandpur (98) , P.S.- Rohtak, Distt. - Rohtak, Haryana.

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Harshvardhan, Advocate
For the Opposite Party/s : Mrs. Renu Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 10-05-2024 Heard Mr. Kumar Harshvardhan, learned counsel for the petitioners and Mrs. Renu Kumari, learned APP for the State.

2. The petitioners seek bail in Bhore P.S. Case No. 53 of 2024, instituted for the offences punishable under Sections 30(a) and 41(1) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 474.750 liters liquor was recovered from car and both 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. The petitioners are in custody since 03.03.2024. Petitioner No. 1 has got one criminal antecedent in which the petitioner is on bail and Petitioner No. 2 has 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 Bhore P.S. Case No. 53 of 2024.

(Rudra Prakash Mishra, J)

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