

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35831 of 2024

Arising Out of PS. Case No.-62 Year-2024 Thana- MANIHARI District- Katihar

1. Loha Singh Son of Late Ritlal Singh R/O Vill.- Rampur Diyara Balua Tola, P.S.- Sahebganj Muffasil, Dist.- Sahebganj.
2. Upendran Kumar Singh Son of Raghuwansh Singh @ Raghunandan Singh R/O Vill.- Rampur Diyara Balua Tola, P.S.- Sahebganj Muffasil, Dist.- Sahebganj.
3. Ravi Kumar @ Ravi Kumar Yadav Son of Jago Yadav R/o Vill.- Kant Nagar, P.S.- Barari, Dist.- Katihar

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimal Kumar, Advocate
For the Opposite Party/s : Mr. Bishweshwar Ram, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 10-05-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners seek bail in Manihari P.S. Case No. 62 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, 121.500 liters liquor was recovered from boat. 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 petitioners are not the owner of the boat in question. The petitioners are in custody since 14.03.2024 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 Manihari P.S. Case No. 62 of 2024.

(Rudra Prakash Mishra, J)

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