

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36657 of 2024

Arising Out of PS. Case No.-107 Year-2024 Thana- NAWANAGAR District- Buxar

1. Munna Yadav S/O Dharmendra Yadav Resident of Village- Giridhar Baraon, Murar, P.S.-Nawangar, District-Buxar, Bihar.
2. Birendra Kumar Singh S/O Sri Bhagwan Singh @ Lambu Yadav Resident of Village- Giridhar Baraon, Murar, P.S.-Nawangar, District-Buxar, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Akhilesh Pandey, Advocate

For the Opposite Party/s : Mr. Kumar Ranjit Ranjan, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 15-05-2024 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in Nawangar (Sonbarsa O.P.) P.S. Case No. 107 of 2024, instituted for the offences punishable under Sections 30(a), 30(c), 30(d), 36 and 41(1) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 500 liters spirit along with other articles which is used for manufacturing liquor was recovered from the house of Manoj Yadav. 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 spirit. It is further submitted that the house in question does not belong to the petitioners and the petitioners are not related to Manoj Yadav. The petitioners are in custody since 01.04.2024 and have got one criminal antecedent in which the petitioners are on bail. 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 Nawanagar (Sonbarsa O.P.) P.S. Case No. 107 of 2024.

(Rudra Prakash Mishra, J)

Rajorshi/-

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