

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39401 of 2024

Arising Out of PS. Case No.-150 Year-2024 Thana- Excise P.S. District- Siwan

1. Rahul Kumar Son of Upendra Prasad Resident of Village - Naya Tola, Madhopur, P.S.- Bhaktiyarpur, Dist.- Patna.
2. Ram Pujan Kumar Son of Mahendra Rai Resident of Village - Naya Tola, Madhopur, P.S.- Bhaktiyarpur, Dist.- Patna.
3. Rohit Kumar Son of Bablu Kumar @ Bablu Ram Resident of Village - Naya Tola, Madhopur, P.S.- Bhaktiyarpur, Dist.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shekhar Kumar Singh, Advocate
For the Opposite Party/s : Mr. Sanjay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 30-05-2024 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. The petitioners seek regular bail in connection with
Excise P.S. Case No. 150 of 2024, lodged on 16.03.2024 under
Section 30(a) of the Bihar Prohibition and Excise (Amendment)
Act.

3. As per the prosecution, FIR has been lodged against
three named and one owner of the vehicle. The total recovery of
77.760 litres of liquor has been the subject matter of the present
case.

4. Learned counsel for the petitioners submits that



petitioners are innocent and have committed no offence. The antecedent of the petitioners are clean and they are in custody since 17.03.2024. Counsel submits that the petitioners are the passengers of the auto rickshaw on which the recovery has been made. Counsel submits that they are completely innocent and unaware about the seized article as they are neither driver nor owner of the vehicle. They were mere passenger.

5. Learned counsel for the State opposes the prayer for bail.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioners, above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) each with two sureties of the like amount each to the satisfaction of learned Learned Exclusive Special Excise Court-II, Siwan, in connection with Excise P.S. Case No. 150 of 2024, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure.

(Dr. Anshuman, J)

Mkr./Ankit

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