

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38816 of 2024

Arising Out of PS. Case No.-142 Year-2024 Thana- UDWANTNAGAR District- Bhojpur

1. Rahul Kumar Yadav Son Of Hareram Yadav Village- Kalyanpur Ps- Bihiya, Dist- Bhojpur
2. Mukesh Kumar Yadav Son Of Bhuar Yadav Village- Kalyanpur Ps- Bihiya, Dist- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prabhat Kumar Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 27-05-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners seek regular bail in connection with
Udawanagar P.S. Case No.142 of 2024 lodged under Sections
414 and 34 of I.P.C. read with section 30(a) of Bihar Prohibition
and Excise Amendment Act, 2018.

3. As per the prosecution case, the F.I.R. has been
lodged against the petitioners against whom there is allegation
of recovery of 75 liter wine which is subject matter of the
present case.

4. Learned counsel for the petitioners submits that the
petitioners are innocent and have committed no offence. He
submits that petitioners' name have figured in this case under



wrong impression as the said motorcycle does not belong to them and they have taken motorcycle for personal use and they were unaware that wine has been kept in the motorcycle.

5. Counsel for the petitioners submits that petitioners are in custody since 10.04.2024 having clean antecedent.

6. Learned counsel for the State opposes the prayer for bail and submits that wine has been recovered from conscious possession of the petitioners and they were found in possession of the said motorcycle.

7. In the present facts and circumstances of this case and the submissions made above, let the petitioners above named, be granted bail, **but 3 months after framing of charge, if not framed**, 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 Exclusive Special Judge Excise Court II, Bhojpur at Ara in connection with Udawantnagar P.S. Case No.142 of 2024, subject to the following conditions as laid down under Section 437(3) of Cr.P.C.

(Dr. Anshuman, J.)

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