

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 39688 of 2024

Arising Out of PS. Case No.-189 Year-2024 Thana- SHIVSAGAR District- Rohtas

1. Ashish Narayan Singh S/O Kaushal Narayan Singh @ Kaushalendra Narayan Singh Resident Of Village-Kodariya, Police Station-Chandauli, District-Chandauli ,UTTAR Pradesh
2. Anshu Singh @ Ashu Singh S/O Rakesh Singh Resident Of Village-Kodariya, Police Station-Chandauli, District-Chandauli ,UTTAR Pradesh

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 40091 of 2024

Arising Out of PS. Case No.-189 Year-2024 Thana- SHIVSAGAR District- Rohtas

Abhinandan Kumar S/O Vindhyachal Singh Resident Of Village - Gori,
Police Station - Kargahar, District Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 39688 of 2024)
For the Petitioner/s : Mr. Raghunandan Kumar Singh, Advocate
For the Opposite Party/s : Mr. Ajit Kumar, APP
(In CRIMINAL MISCELLANEOUS No. 40091 of 2024)
For the Petitioner/s : Mr. Raghunandan Kumar Singh, Advocate
For the Opposite Party/s : Mr. Ajit Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

3 28-06-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners seek bail in Shivsagar P.S. Case No.
189 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, 342 liters liquor was recovered from pick-up vehicle and the petitioners were sitting on another vehicle which was also stopped there. 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 petitioner no. 1 in Cr. Misc. No. 39688 of 2024 is driver of the car from which no recovery of liquor has been made, petitioner no. 2 in Cr. Misc. No. 39688 of 2024 and the petitioner in Cr. Misc. No. 40091 of 2024 are passengers of the car in question. Name of the petitioners have been disclosed by the co-accused, namely, Vijay Kumar which has no evidentiary value. The petitioners are in custody since 23.04.2024 and have got no criminal antecedent. Learned counsel for the petitioners further submits that similarly situated co-accused has been granted bail by this Court vide order dated 20.06.2024 passed in Cr. Misc. No. 42607 of 2024. 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 Shivsagar P.S. Case No. 189 of 2024.

(Rudra Prakash Mishra, J)

Rajorshi/-

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