

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41434 of 2024

Arising Out of PS. Case No.-231 Year-2024 Thana- GARKHA District- Saran

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1. Awadh Rai S/o Harilal Rai R/o VILLAGE-SABALPUR HASTI TOLA,
P.S.- SONPUR, DISTRICT-SARAN
 2. Harendra Rai Late Jangali Rai R/o VILLAGE-SABALPUR HASTI TOLA,
P.S.- SONPUR DISTRICT SARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ganesh Prasad Singh

For the Opposite Party/s : Mr.Ashok Kumar Singh

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 19-06-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners seek bail in connection with Garkha
P.S. Case No. 231 of 2024 instituted for the offences punishable
under Section 30(a), 38, and 41(a) of the Bihar Prohibition and
Excise Act.

3. The prosecution case, in short, is that total 239.94
liters of liquor was recovered from a truck.

4. Learned counsel for the petitioners submitted that
the petitioners have falsely been implicated in the present case.
Petitioners are the driver and helper of the seized vehicle in
question. No incriminating article has been recovered from the



conscious possession of the petitioners. The petitioners have got no concern with the alleged recovery of liquor. The petitioners are in custody since 29.04.2024 and have no criminal antecedent. Petitioners have no knowledge regarding the alleged occurrence. There is no compliance of Section 100 of the 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 as well as 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/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Garkha P.S. Case No. 231 of 2024.

(Rudra Prakash Mishra, J)

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