

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44398 of 2024

Arising Out of PS. Case No.-29 Year-2024 Thana- DEODHA District- Madhubani

1. Umesh Ram S/O Bhakti Ram Resident Of Village - Ushrahi, Mishri Lal Chawk, P.S-Deodha, Distt.- Madhubani.
2. Arun Sahani S/O Ram Krishan Sahani @ Ram Kishun Sahani Resident Of Village - Ushrahi, Mishri Lal Chawk, P.S-Deodha, Distt.- Madhubani.

... .. Petitioners

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Subhash Kumar Jha, Advocate
For the Opposite Party/s : Mr.Parmanand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 26-06-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners seek bail in Deodha P.S. case No. 29 of 2024 instituted for the offences under Sections 272, 273, 34 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 261 liters liquor was recovered from two bicycles and the petitioners were arrested 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 has 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 bicycles in question do not belong to the petitioners. The petitioners are in custody since 23.03.2024 and petitioner No. 1 has got one criminal antecedent and petitioner No. 2 has got no criminal antecedent. There is no compliance of Section 100 of Cr.P.C.

5. Learned A.P.P. 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/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Deodha P.S. case No. 29 of 2024.

(Rudra Prakash Mishra, J)

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