

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41401 of 2024

Arising Out of PS. Case No.-123 Year-2024 Thana- GOPALPUR District- Patna

1. Shivam Son Of Dharmendra @ Dharmendra Kumar Resident Of Village - Sahatepur, Police Station - Nirgoi, District - Shahjahanpur (Uttar Pradesh)
2. Nirdosh Kumar @ Nirdosh Son Of Bhailal Resident Of Village - Sahatepur, Police Station - Nirgoi, District - Shahjahanpur (Uttar Pradesh)
3. Lalit Son Of Ram Larete (Ladaite) Resident Of Village - Sahatepur, Police Station - Nirgoi, District - Shahjahanpur (Uttar Pradesh)
4. Rachit Kumar @ Rachit Son Of Ram Larete (Ladaite) Resident Of Village - Sahatepur, Police Station - Nirgoi, District - Shahjahanpur (Uttar Pradesh)
5. Niraj Kumar Son Of Rampal Verma @ Rampal Resident Of Village - Sahatepur, Police Station - Nirgoi, District - Shahjahanpur (Uttar Pradesh)
6. Gyandev Son Of Kanhaiya Lal Resident Of Village - Gulamkhera, Police Station - Tilehar, District - Shahjahanpur (Uttar Pradesh)
7. Suraj Verma @ Suraj Son Of Prithvi Raj @ Prathviraj Resident Of Village - Kailaha Seramau South, Police Station - Seramau South, District - Shahjahanpur (Uttar Pradesh)

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Avinash Raj
For the Opposite Party/s : Mr.Shantanu Kumar

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 Gopalpur P.S. Case No. 123 of 2024 instituted for the offences punishable under Sections 30(a), 30(c) and 30(d) of the Bihar Prohibition and Excise Act.



3. The prosecution case, in short, is that there has been recovery of Charminar gola Munakka (19 bags), pouch packing machine, Goli cutting and rolling machine and other articles as detailed in the FIR from a factory.

4. Learned counsel for the petitioners submitted that the petitioners have falsely been implicated in the present case. Petitioners being the labourer of the alleged factory, they have been falsely implicated in the present case. No incriminating article has been recovered from the conscious possession of the petitioners. The petitioners have got no concern with the alleged recovery. Charge-sheet has been submitted in this case. The petitioners are in custody since 13.03.2024 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 Gopalpur P.S. Case
No. 123 of 2024.

(Rudra Prakash Mishra, J)

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