

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41364 of 2024

Arising Out of PS. Case No.-404 Year-2024 Thana- Excise P.S. District- Aurangabad

1. Nandu Kumar Son Of Kail Bhuiya Resident Of Village - Narayanpur, Barha, P.S. - Deo, District - Aurangabad
2. Ranjan Kumar Son Of Meghan Bhuiyan Resident Of Village - Narayanpur, Barha, P.S. - Deo, District - Aurangabad

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukul Kumari

For the Opposite Party/s : Mr.Gauri Shankar Gupta

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 Excise P.S. Case No. 404 of 2024 instituted for the offences punishable under Sections 30(a) and 32(3) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 57 liters of liquor was recovered from two motorcycles out of which 55 liters of liquor was recovered from petitioner's motorcycle.

4. Learned counsel for the petitioners submitted that the petitioners have falsely been 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 of liquor. Petitioners have no concern with the alleged vehicle in question. The petitioners are in custody since 04.05.2024 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 Excise P.S. Case No. 404 of 2024.

(Rudra Prakash Mishra, J)

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