

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42925 of 2024

Arising Out of PS. Case No.-144 Year-2024 Thana- RIVILGANJ District- Saran

1. Saroj Kumar @ Mukhiya S/o Gautam Rai R/o Village-Semariya Jahaj Ghat, P.S.-Rivilganj(Revelganj), District-saran at Chapra
2. Bhim kumar @ Madhu S/o Ashok Mahto @ Ashok Kumar Singh R/o Village-Semariya Jahaj Ghat, P.S.-Rivilganj(Revelganj), District-saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dewendra Narayan Singh, Advocate
For the Opposite Party/s : Mr.Sanjay Kumar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 20-06-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners seek bail in Rivilganj P.S. case No. 144 of 2024 instituted for the offences under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 90.54 liters liquor was recovered from the tempo 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 tempo in question does not belong to the petitioners. The petitioners are in custody since 17.05.2024 and petitioner No. 1 has two criminal antecedents while petitioner No. 2 has one 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 Rivilganj P.S. case No. 144 of 2024.

(Rudra Prakash Mishra, J)

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