

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44022 of 2024

Arising Out of PS. Case No.-369 Year-2024 Thana- Excise P.S. District- Gopalganj

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1. Manish Kumar S/o Lallan Kumar Kushwaha @ Lalan Kumar Kushwaha R/o Village- Mahwal, P.S.-Motipur, District-Muzaffarpur
 2. Dharendra Kumar S/o Ranjit Bhagat R/o Village-Mahwal, Near Railway Station, Ward No. 03, P.S.-Motipur, District-Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashank Shekhar, Advocate
For the Opposite Party/s : Mr. Khurshid Anwar, APP

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

ORAL ORDER

2 25-06-2024 Heard learned counsel for the petitioners and
learned APP for the State.

2. The petitioners seek bail in Gopalganj Excise P.S.
Case No. 369 of 2024, instituted for the offences punishable
under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 311.040 liters
liquor was recovered from scorpio car and the petitioners were
apprehended 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 have 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 petitioners are driver and co-driver of the vehicle in question and they have no knowledge regarding the goods loaded in the vehicle. The petitioners are in custody since 19.04.2024 and have got no criminal antecedent. There is no compliance of Section 100 of 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 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/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Gopalganj Excise P.S. Case No. 369 of 2024.

(Rudra Prakash Mishra, J)

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