

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.43522 of 2024**

Arising Out of PS. Case No.-361 Year-2024 Thana- Excise P.S. District- Nawada

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1. Mukesh Kumar Son of Kishun Prasad Yadav R/o Village - Gurpa (Kathautiya-Kewal), Ward No.- 6, P.S.- Gurpa, District - Gaya.
  2. Anil Prasad Son of Nanhku Yadav R/o Village - Gurpa (Kathautiya-Kewal), Ward No.- 6, P.S.- Gurpa, District - Gaya.
  3. Ajit Kumar Son of Rajendra Prasad @ Rajendra Prasad Yadav R/o Village - Gurpa (Kathautiya-Kewal), Ward No.- 6, P.S.- Gurpa, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Onkar Nath, Advocate  
For the Opposite Party/s : Mr. Pushpa Sinha.1, APP

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

ORAL ORDER

2      24-06-2024                      Heard learned counsel for the petitioners and  
learned APP for the State.

2. The petitioners seek bail in Nawada Excise P.S. Case No. 361 of 2024, instituted for the offences punishable under Sections 30(a) and 47 of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 950 liters liquor was recovered from seven motorcycles 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 not the owner of the motorcycles in question. The petitioners are in custody since 17.05.2024. Petitioner Nos. 1 and 2 have got no criminal antecedent and Petitioner No. 3 has got one criminal antecedent in which he is on bail. 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 Nawada Excise P.S. Case No. 361 of 2024.

**(Rudra Prakash Mishra, J)**

Rajorshi/-

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