

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44269 of 2024

Arising Out of PS. Case No.-425 Year-2024 Thana- SASARAM NAGAR District- Rohtas

1. Amar Jeet Kumar Son Of Girdhari Singh @ Giradhari Singh Village- Bhartiganj, P.S.- Sasaram (Town), Distt.- Rohtas
2. Pawan Kumar Son Of Late Ramjit Singh Village- Bhartiganj, P.S.- Sasaram (Town), Distt.- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Babu Nandan Prasad, Advocate

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 26-06-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners seek bail in Sasaram (Town) P.S.
Case No. 425 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, 72 liters
liquor was recovered from motorcycle 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 petitioner no. 2 is the owner of the motorcycle in question. It is also submitted that the alleged recovery of liquor has been made from bamboo clumps which is an open place and easily accessible to public at large. The petitioners are in custody since 15.05.2024 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 Sasaram (Town) P.S. Case No. 425 of 2024.

(Rudra Prakash Mishra, J)

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