

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44431 of 2024

Arising Out of PS. Case No.-62 Year-2024 Thana- KHUTAUNA District- Madhubani

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1. Aditya Raj S/O Rakesh Kumar Mahto R/O Village-Marukiya,P.S.-
Andhratharhi,Distt- Madhubani
 2. Bhagwan Lal Mandal S/O Kari Mandal R/O Village-Siwa,P.S.-
Andhratharhi,Distt- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Bharti, Advocate

For the Opposite Party/s : Mr.Parmanand Prasad, 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 Khutauna P.S. case No.
62 of 2024 instituted for the offences under Section 272, 273,
34 of the Indian Penal Code and Section 30(a) of the Bihar
Prohibition and Excise Act.

3. The prosecution case, in short, is that 450 liters
liquor was recovered from the car and the petitioner was
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 the petitioners are not the owner of the vehicle in question. They have no knowledge regarding the nature of goods kept in the vehicle. The petitioners are in custody since 10.05.2024 and have got no 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 Khutauna P.S. case No. 62 of 2024.

(Rudra Prakash Mishra, J)

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