

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48693 of 2024

Arising Out of PS. Case No.-74 Year-2024 Thana- BUXAR RAIL P.S. District- Bhojpur

1. Rohit Kumar Son Of Kallu Singh Village/Mohalla- Bardiha, P.S.- Sandesh, Distt.- Bhojpur
2. Ritu Kumar Son Of Raghuvar Paswan @ Radhubar Paswan R/O- Village- Mohalla- Jamira Ward No. 05, P.S.- Mufassil, Distt.- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Diwakar .

For the Opposite Party/s : Mr.Syed Ehteshamuddin

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

2 11-07-2024 Heard learned counsel for the petitioners and learned APP for the State.

2. This is an application for regular bail on behalf of the petitioners for the offences alleged under Section 30 (a) of the Bihar Prohibition and Excise Act, registered in connection with Buxar Rail P.S. Case No. 74 of 2024.

3. As per prosecution case, there has been recovery of total 259 liters of IMFL from the bathroom of the train and the petitioners were apprehended on spot.

4. The learned counsel for the petitioners has submitted that they have been falsely implicated in this case and have committed no offence. Petitioners have no concern with



the alleged recovery of liquor. He further submitted that the petitioners are *bona fide* passenger and due to ulterior motive the police has falsely implicated them in the present case. No incriminating article has been recovered from the conscious possession of the petitioners. Petitioners are the person of clean antecedent and they are in custody since 30.05.2024.

5. Learned APP for the State has opposed the prayer of bail.

6. Considering the above facts and circumstances of the case, let the petitioners, above-named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court-1st, Bhojpur at Ara/Court concerned in connection with Buxar Rail P.S. Case No. 74 of 2024, subject to the condition that the petitioner shall co-operate in the disposal of trial and make himself available as and when required by the Court.

(Nawneet Kumar Pandey, J)

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