

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53534 of 2024

Arising Out of PS. Case No.-699 Year-2024 Thana- Excise P.S. District- Purnia

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1. Sanny Kumar son of Paras Bhagat Village- Toka Jivagacchi ward no. 11 Ps- Gamahriya District- Madhepura
 2. Vijay Kumar son of Mukesh Yadav Village- Aurahi W.No-8, Ps- Gamhariya Dist- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar, Advocate
For the Opposite Party/s : Mr. Md. Matloob Rab, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 07-08-2024 Heard learned counsel for the petitioners and learned APP
for the State.

2. The petitioners seek bail in connection with Excise PS Case No. 699 of 2024 instituted for the offences under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 76 litres foreign liquor was recovered from one Maruti Suzuki.

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



submitted that petitioner No.1 is the driver whereas petitioner No.2 is the passenger of the vehicle in question. The petitioners are in custody since 27-06-2024 and have got one criminal antecedent each. 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) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Excise PS Case No. 699 of 2024.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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