

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50815 of 2024

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

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1. Pramod Kumar Son of Khiru Yadav R/O- Village- Bagai, P.S.- Gurpa, Distt.- Gaya
 2. Rajesh Kumar Son of Duleshwar Yadav R/O- Village-Dundu, P.S.- Gurpa, Distt.- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Durgesh Nandan, Advocate

For the Opposite Party/s : Mr.Md. Anzarul Haque Sahara, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 19-07-2024 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest in connection with Nawada Excise P.S. Case No. 361 of 2024 instituted for the offences under Sections 30(a) and 47 of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 950 litres of mahua liquor was recovered from seven motorcycles.

4. Learned counsel for the petitioners submitted that the petitioners are innocent and have falsely been implicated in the present case at the instance of local police. No incriminating article has been recovered from the conscious possession of the



petitioners. Learned counsel further submitted that petitioners are not the owner of the vehicles from which the alleged recovery of liquor has been made. The petitioners have got no concern with the alleged recovery of liquor. The petitioners have got no criminal antecedent. There is no compliance of Section 100 of the 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, let the petitioners above named, in the event of arrest/surrender before the learned Court below within a period of six months from today, be released on anticipatory 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 Nawada Excise P.S. Case No. 361 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Rudra Prakash Mishra, J)

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