

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53974 of 2024

Arising Out of PS. Case No.-562 Year-2024 Thana- Excise P.S. District- Aurangabad

1. Siddhant Kumar @ Siddhant Singh @ Vivek Kumar Son of Himanshu Kumar Singh Resident of Village- Dewari Road, Krishna Nagar, P.S.- Hussainabad, Distt.- Palamu (Jharkhand)
2. Ajit Kumar Son of Hareram Chaudhary Resident of Village- Dewari Road, Krishna Nagar, P.S.- Hussainabad, Distt.- Palamu (Jharkhand)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Leelawati Kumari, Advocate
For the Opposite Party/s : Mr. Md. Shakir Ahmad, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

- 2 07-08-2024 1. Heard learned counsel for the petitioners and learned APP for the State.
2. The petitioners seek bail in connection with Excise P.S. Case No. 562 of 2024 instituted for the offences punishable under Sections 30(a), 32(3) of the Bihar Prohibition and Excise (Amendment) Act, 2018 and Sections 41(1),(2) of the Bihar Prohibition and Excise Act, 2016.
3. The prosecution case, in short, is that total 155.520 litres of illicit liquor was recovered from car and petitioners were apprehended on the spot.
4. Learned counsel for the petitioners submitted that the petitioners have falsely been implicated in the present case.



No incriminating article has been recovered from the conscious possession of the petitioners. Learned counsel further submitted that petitioners are neither the owner nor the driver of the vehicle. The petitioners have got no concern with the alleged recovery of liquor. The petitioners are in custody since 10.06.2024 and have 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, clean antecedent 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 Excise P.S. Case No. 562 of 2024.

(Rudra Prakash Mishra, J)

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