

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53246 of 2024

Arising Out of PS. Case No.-79 Year-2024 Thana- SRIPUR District- Gopalganj

1.

Ashik Ansari Son Of Nurmohammad @ Nurmohammad Miyan Village-
Mathiya (Sisai), P.S.- Bhore, Dist- Gopalganj
2.

Muket Khan Son Of Birbal Khan Village- Chhotaki Sisai Bhatwaliya, P.S-
Bhore, Dist- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Lokesh Kumar Singh, Advocate
For the Opposite Party/s : Mr. Mritunjay Kumar Nirala, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 2

07-08-2024

1.

Heard learned counsel for the petitioners and
learned APP for the State.

2.

Petitioners seek regular bail in connection with
Sripur P.S. Case No. 79 of 2024 dated 27.05.2024, registered for
the offence punishable under Section 30(a) of the Bihar
Prohibition and Excise Act.

3.

Mr. Lokesh Kumar Singh, learned counsel for the
petitioners submits that the petitioners were falsely roped in
connection with the alleged recovery of liquor, in fact, the
petitioners were passing through the place of occurrence on the
motorcycle and were intercepted by the police and were asked
to produce the original papers of the said motorcycle on the



ground that it was without a valid registration number. Even though the petitioners produced xerox copy of the documents and tried to convince that the registration number will be generated but the police personnel did not pay heed to them and demanded bribe. Thus, the petitioners have been implicated in a false case of recovery of illicit liquor and are victims of police atrocity. It is further submitted that the petitioners have been languishing in jail since 28.05.2024 and against them the investigation has been completed and the police did not comply with the provisions of Section 100 of Cr. P.C. while making the search and seizure of the alleged contraband. Further submission is that against the petitioner no.1 there is a criminal antecedent of one case in which he is on bail and against the petitioner no.2 there is no criminal antecedent.

4. Mr. Mritunjay Kumar Nirala, learned APP appearing for the State has opposed the bail prayer of the petitioners.

5. Having considered the above submissions and mainly the completion of investigation against the petitioners as well as their custody period, this court is inclined to grant them the privilege of bail. Accordingly, let the petitioners named-above 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 the concerned Court in connection with Sripur P.S. Case No. 79 of 2024.

(Shailendra Singh, J)

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