

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53548 of 2024

Arising Out of PS. Case No.-181 Year-2024 Thana- CHAKIA District- East Champaran

1. Virendra Mahto Son Of Late Gorakh Mahto Village- Ambedkar Nagar Chakiya, Ps- Chakiya, Dist- East Champaran
2. Dheeraj Kumar Son Of Kapil Chaudhary Village- Ambedkar Nagar Chakiya, Ps- Chakiya, Dist- East Champaran
3. Govind Mahto Son Of Late Gorakh Mahto Village- Ambedkar Nagar Chakiya, Ps- Chakiya, Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Suraj Kumar Tiwari, Advocate
For the Opposite Party/s : Mr. Rana Randhir Singh, 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 Chakia PS Case No. 181 of 2024 instituted for the offences under Sections 272 & 273 of the IPC and Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 390 litres country made liquor was recovered from behind the husk house.

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 recovery is from an open place, which is accessible to one and all. The petitioners are in custody since 24-06-2024 and have got no criminal antecedent. 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 Chakia PS Case No. 181 of 2024.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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