

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57826 of 2024

Arising Out of PS. Case No.-396 Year-2024 Thana- Excise P.S. District- Siwan

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1. Raj Kumar Rajbhar S/O Ram Prawesh Rajbhar @ Ram Pravesh Resident of village- Titauli, P.S- Bankata, Distt.- Deoria (U.P.)
 2. Vikash Giri S/O Anil Giri R/O Village- Nonar Pandey, P.S- Bankata, Distt.- Deoria (U.P.).

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shanti Bhushan Singh, Advocate
For the Opposite Party/s : Mr. Bishweshwar Ram, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 21-08-2024 Heard learned counsel for the petitioners and learned APP
for the State.

2. The petitioners seek bail in connection with Siwan Excise PS Case No. 396 of 2024 instituted for the offences under Section 30(a) & 32(3) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 326.400 liters liquor was recovered from a Car.

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 petitioners have no concern with the vehicle in question. The petitioners are in custody since 29-06-2024 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, clean antecedent of the petitioners 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 Siwan Excise PS Case No. 396 of 2024.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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