

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62860 of 2024

Arising Out of PS. Case No.-286 Year-2024 Thana- KUCHAIKOTE District- Gopalganj

1. Kunal Singh Son of Pramod Singh Resident of Village-Haminpur, P.S.- Baikunthpur, Distt.-Gopalganj
2. Dhiraj Kumar Singh Son of Late Sheoji Singh Resident of Village-Bhakhtaul, P.S.- Basantpur, Distt.- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramanuj Tiwary, Advocate
For the Opposite Party/s : Mr.Abhay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

- 2 06-09-2024 1. Heard learned counsel for the petitioners and learned APP for the State.
2. The petitioners seek bail in connection with Kuchaikote P.S. Case No. 286 of 2024 instituted for the offences punishable under Sections 30(a) of the Bihar Prohibition and Excise Act.
3. The prosecution case, in short, is that total 130.16 litres of liquor was recovered from motorcycle and car.
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 petitioner no.1 has not concern with the vehicles from which the alleged recovery has been made. Learned counsel further submits that petitioner no.2 is the owner of the Maruti Suzuki Car but has no knowledge regarding the seized liquor. The petitioners have got no concern with the alleged recovery of liquor. The petitioners are in custody since 02.07.2024. Petitioner no. 1 has not criminal antecedent whereas petitioner no.2 has one 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 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 Kuchaikote P.S. Case No. 286 of 2024.

(Rudra Prakash Mishra, J)

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