

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71382 of 2024

Arising Out of PS. Case No.-467 Year-2024 Thana- Excise P.S. District- Siwan

1. Randheer Kumar Yadav @ Azad @ Azad Yadav son of Late Amarnath Yadav Resident of village- Telkathu, PS- M. H. Nagar, Dist- Siwan
2. Pawan Kumar Son of Rajan Yadav Resident of village- Telkathu, PS- M. H. Nagar, Dist- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Kumari Anupam, Advocate

For the Opposite Party/s : Mr.Ramchandra Sahni, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 05-10-2024 Heard learned counsel for the petitioners and learned APP for the State. Learned counsel for the petitioners is directed to make necessary correction in the provision portion of bail petition in course of the day.

2. The petitioners seek bail in Siwan Excise P.S. case No. 467/24 instituted for the offences under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 112.8 liters liquor was recovered under the Chowki in front of a 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 further submitted that recovery is made in front of house of the petitioner No. 2 which is an open place accessible to one and all. The petitioners are in custody since 02.08.2024 and have got no criminal antecedent. There is no compliance of Section 103 of B.N.S.S.

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) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Siwan Excise P.S. case No. 467/24.

(Rudra Prakash Mishra, J)

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