

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71506 of 2024

Arising Out of PS. Case No.-93 Year-2024 Thana- Geedha District- Bhojpur

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1. Munna Bind S/o Kedar Bind R/o vill - Mahadeo Chock, P.S. - Koilwar, Distt. - Bhojpur
 2. Nitish Kumar S/o Ram Narayan Ram R/o vill - Mahadeo Chock, P.S. - Koilwar, Distt. - Bhojpur

... .. 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. Mithlesh Kumar Khare, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 05-10-2024 Learned counsel for the petitioners is permitted to make necessary corrections in the provision portion of the present bail application in course of the day.

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

3. The petitioners seek bail in connection with Gidha P.S. Case No. 93 of 2024 instituted for the offences punishable under Sections 30(a) of the Bihar Prohibition and Excise Act.

4. The prosecution case, in short, is that total 100 litres of illicit liquor has been recovered from motorcycle.

5. 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 petitioners are not the owner of the motorcycle in question. The petitioners have got no concern with the alleged recovery of liquor. The petitioners are in custody since 08.08.2024 and have no criminal antecedent. There is no compliance of Section 100 of the Cr.P.C.

6. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioners.

7. 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.

8. 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 Gidha P.S. Case No. 93 of 2024.

(Rudra Prakash Mishra, J)

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