

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70554 of 2024

Arising Out of PS. Case No.-100 Year-2024 Thana- Excise P.S. District- Samastipur

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1. Sumit Kumar Son of Late Raja Ray Resident of Village-Nayaganj, P.S.-
Deshari, District- Vaisali
 2. Manjoor Alam @ Manjoor Shah Son of Md Latif Shah Resident of Village-
Nayaganj, P.S.- Deshari, District- Vaisali

... .. Petitioner/s

Versus

The state of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar, Advocate

For the Opposite Party/s : Mr.Yogendra Kumar Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 23-10-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners seek bail in Patory Excise P.S. case
No. 100 of 2024 instituted for the offences under Section 30(a)
of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 84 liters liquor
was recovered from motorcycle and the petitioners were
arrested on spot.

4. Learned counsel for the petitioners submits that the
petitioners are innocent and have falsely been implicated in the
present case only on the basis of suspicion. 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. The petitioners are in custody since 24.08.2024 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) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Patory Excise P.S. case No. 100 of 2024.

(Rudra Prakash Mishra, J)

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