

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71004 of 2024

Arising Out of PS. Case No.-2 Year-2024 Thana- Ramdas Rai Ka Dera District- Buxar

1. Vikash Ray @ Vikash Kumar Ray S/o Sri Ram Vilash Ray R/o Village-Sirdilpur Usrahan, P.S.- Patori, District- Samastipur
2. Vijay Kumar Sharma S/o Late Chandeshwar Sharma R/o Village-Taradhamaun, P.S.- Patori, Distt.- Samastipur

... .. 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 : Dr. Kumar Uday Pratap, 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.

2. The petitioners seek bail in connection with Ram Das Rai ka Dera P.S. Case No. 02 of 2024 instituted for the offences under Section 30(a) of the Bihar Prohibition and Excise Act.

3. Prosecution story, in short, is that total 54 litres of illicit liquor has been recovered from bag.

4. Learned counsel for the petitioners submitted that the petitioners have falsely been implicated in the present case. Nothing has been recovered from the conscious possession of the petitioners. Petitioners have no concern with the alleged



recovery. Learned counsel further submitted that petitioners have also no concern with the bag from which the alleged recovery has been made. It has been submitted on behalf of the petitioners that the petitioners are in custody since 27.08.202. Petitioner no. 1 has two criminal antecedents whereas petitioner no. 2 has no criminal antecedent. There is no compliance of Section 100 of the 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 Ram Das Rai ka Dera P.S. Case No. 02 of 2024.

(Rudra Prakash Mishra, J)

Rajorshi/-

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