

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74364 of 2024

Arising Out of PS. Case No.-226 Year-2024 Thana- BARHARA District- Bhojpur

1.

Krishna kumar S/o Ravindra Rai R/o vill - Dhudhua, P.S.- Ara Moffasil, Distt. - Bhojpur at Ara
2.

Bhuteli Yadav S/o Late Prithvi Yadav R/o vill - Paiga, P.S. - Barhara, Distt. - Bhojpur at Ara

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Padma Deo Narayan, Advocate

For the Opposite Party/s : Mr. Brajendra Nath Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

4 02-12-2024 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Barhara PS Case No. 226 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 total 250 litres of country made mahua liquor was recovered from Scooty.

4. Learned counsel for the petitioners submit 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 submitted that the seized scooty in question does not belong to



the petitioners. The petitioners are in custody since 11.07.2024. The petitioner no. 1 has got no criminal antecedent and the petitioner no. 2 has three criminal antecedents. 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 Barhara PS Case No. 226 of 2024.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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