

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71735 of 2024

Arising Out of PS. Case No.-631 Year-2024 Thana- Excise P.S. District- Gopalganj

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1. Dhiraj Kumar @ Dhiraj Kumar Yadav Son of Ram Udgar Yadav R/O Village - Baghnochi, P.S. - Baheri, District - Darbhanga
 2. Sonelal Mandal Son of Lalit Mandal R/O Village - Baghnochi, P.S. - Baheri, District - Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nawal Kishor Prasad, Advocate
For the Opposite Party/s : Ms. Rina Sinha, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

3 19-11-2024 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Gopalganj Excise PS Case No. 631 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 140.040 litres of foreign liquor was recovered from the Car.

4. Learned counsel for the petitioners submit that the petitioners are innocent and has 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 petitioner no.1 is the driver of the vehicle and petitioner no. 2 is the co-driver of the vehicle and they have no knowledge regarding the nature of goods laden in the vehicle. The petitioners are in custody since 08.08.2024 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, clean antecedent of the petitioners and the period of custody undergone by the petitioners, this Court is inclined to grant bail to the petitioner.

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 Gopalganj Excise PS Case No. 631 of 2024.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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