

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72400 of 2024

Arising Out of PS. Case No.-161 Year-2024 Thana- MANIGACHI District- Darbhanga

1. Ajay Mallik, Son of Chandeshwar Mallik, R/o Ward no. 13, Postmartem Road, P.S.- Saharsa Sadar, Dist.- Saharsa, Bihar.
2. Bittu Kumar, Son of Sudheer Sah, R/O Vill.- Haripur Ward no. 07, P.S.- Alauli, Dist.- Khagaria, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Piyush Tiwari, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 07-10-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners have prayed for bail in a case registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Amendment Act.

3. The case of the prosecution is that police received information that huge quantity of liquor is being transported and when the bus and pick-up were intercepted, it is alleged that the petitioners along with others were apprehended and altogether 1326 litres of foreign liquor was recovered.

4. Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed no offence. They are daily wagers and they have been



falsely implicated in this case. They have no concern with alleged recovered liquor and vehicles in question. Nothing incriminating article has been recovered from their conscious possession. A statement has been made in para 3 of the petition that petitioners have no criminal antecedent. Petitioners are languishing in judicial custody since 29.08.2024.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) each with two sureties of the like amount each to the satisfaction of the learned Court of Exclusive Special Excise Court-II (Excise Act), Darbhanga in connection with Manigachhi P.S. Case No.161 of 2024.

(Ashok Kumar Pandey, J)

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