

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75634 of 2024

Arising Out of PS. Case No.-607 Year-2024 Thana- Excise P.S. District- Nawada

1. Hare Ram Bhagat Son of Late Bigan Bhagat R/O Section- 9 B, 11 Street, Jhopadi, P.S.- Harala, Dist.- Bokaro, Jharkhand.
2. Pramod Kumar Son of Kedar Mahto R/O Section- 9 A Road, Qr NO.-844 Street A, P.S.- Harala, Dist.- Bokaro, Jharkhand.
3. Ashok Kumar Sahni @ Ashok Kumar Son of Late Harendra Sahni R/O Section- 9 B, 11 Street, Jhopadi, P.S.- Harala, Dist.- Bokaro, Jharkhand.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun Kumar Singh, Advocate
For the Opposite Party/s : Mrs.Renu Kumari, APP

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

ORAL ORDER

2 22-10-2024 Heard learned counsel for the petitioners and

Mrs. Renu Kumari, learned APP for the State.

2. The petitioners seek bail in Excise P.S. case No. 607 of 2024 (Nawada) instituted for the offences under Sections 30(a) and 47 of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 103.5 liters liquor was recovered from the car and the petitioner was arrested on spot.

4. Learned counsel for the petitioners submits 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 further submitted that petitioner No. 1 is said to driver of the car in question while petitioner No. 3 was sitting with petitioner No. 1 in the car. The petitioner No. 2 was waiting for life on the road when arrested by the police. They have no knowledge regarding nature of goods kept in the car. The petitioners are not the owner of the car in question. The petitioners are in custody since 02.09.2024. Petitioner Nos. 1 and 3 have clean antecedents while petitioner No. 2 has two criminal antecedents. There is no compliance of Section 103 of B.N.S.S., 2023.

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 Excise P.S. case No. 607 of 2024 (Nawada).

(Rudra Prakash Mishra, J)

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