

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74891 of 2024

Arising Out of PS. Case No.-230 Year-2024 Thana- Excise P.S. District- Madhubani

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1. Vikash Kumar Yadav @ Vikash Kumar Son of Mahesh Yadav R/O Village - Simari Sonva Tol , P.S.- Bisfi , District - Madhubani
 2. Ravindra Kumar Yadav Son of Suresh Yadav R/O Village - Teghra, P.S.- Bisfi , District - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Prakash, Adv.
For the Opposite Party/s : Mr.Rana Randhir Singh, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 21-10-2024 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Sadar Excise P.S. Case No. 230 of 2024 (G.R. No. 2165 of 2024) instituted for the offences under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, the police has recovered total 124.155 litre illicit liquor from the *Santro* car bearing Regd. No. BR06V5942. The petitioners were arrested at the spot.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence as



alleged against them and have falsely been implicated in the present case only on the basis of suspicion. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioners. The petitioners are neither owner nor driver of the alleged seized car. The petitioners have also no concern with the seized liquor. The petitioners were not aware of the contents of the material loaded in the vehicle. There is a non-compliance of Section 100 of the Cr.P.C. which creates a serious doubt in the prosecution case. The petitioners have no criminal antecedent and is languishing in judicial custody since 25.08.2024 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioners and the petitioners having no criminal antecedent, let the petitioners, abovenamed, 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 Sadar Excise P.S.
Case No. 230 of 2024 (G.R. No. 2165 of 2024).

(Rudra Prakash Mishra, J)

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