

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74290 of 2024

Arising Out of PS. Case No.-355 Year-2024 Thana- Excise P.S. District- Sheikhpura

1. Chhotelal Ram, aged about 59 years (Male), Son of late Sardari Ram, Resident of Village- Jitwarpur, P.S.- Baughat, Distt.- Sheikhpura.
2. Sagar Ram, aged about 59 years, (Male), Son of Uman Ram @ Doman Ram, Resident of Village- Jitwarpur, P.S.- Baughat, Distt.- Sheikhpura.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Sheo Nandan Prasad, Advocate

For the Opposite Party : Mr. Awadhesh Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 08-10-2024 Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners seek bail in connection with Excise P.S. Case No. 355 of 2024 dated 04.09.2024 registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

3. As per the prosecution case, total 39 litres of country made liquor kept in a gallon was recovered from under constructed house of the petitioners.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in the present case. It is submitted that they have no concern with



the alleged offence. No incriminating article has been recovered from their conscious possession. There is no statutory compliance of Section 100 of the Cr.P.C. The petitioner no. 1 has one criminal antecedent in which he is on bail and the petitioner no. 2 has also one criminal antecedent in which he is on bail as stated in paragraph no. 3 of the bail application. The petitioners are in custody in this case since 05.09.2024.

5.Learned A.P.P. for the State has opposed the prayer for bail of the petitioners.

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioners, be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court, Sheikhpura, in connection with Excise P.S. Case No. 355 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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