

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75279 of 2024

Arising Out of PS. Case No.-232 Year-2024 Thana- BANJARIA District- East Champaran

1. Sandeep Kumar S/o- Bhuneshwar Sahani Resident of village- Jhakhiya Ps- Banjariya District- East Champaran
2. Ravi Kumar S/o- Vijay Sahani Resident of village- Jhakhiya Ps- Banjariya District- East Champaran

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar, Advocate
For the Opposite Party/s : Mrs.Asha Devi, 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 Banjariya P.S. case No. 232 of 2024 instituted for the offences under Sections 317(5), 274, 275 of B.N.S., 2023 and Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 132 liters liquor was recovered from motorcycle and 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 at the time of chase, the offender succeeded in good escape and the petitioners, who were passers by were arrested by the police. The petitioners are in custody since 08.09.2024 and have got no criminal antecedent. 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 Banjariya P.S. case No. 232 of 2024.

(Rudra Prakash Mishra, J)

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