

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75999 of 2024

Arising Out of PS. Case No.-283 Year-2024 Thana- NAUTAN District- West Champaran

1. Mukesh Kumar Son of Sri Krishna Patel @ Krishna Nath Prasad Resident of village -Sansaraiya, P.S.- Bettiah Muffasil, Distt.- West Champaran
2. Dhodha Patel @ Dhodha Patel @ Dorha Patel Son of Sri Bhikhari Patel Resident of village -Sansaraiya, P.S.- Bettiah Muffasil, Distt.- West Champaran

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sharad Kumar Verma, Advocate
For the Opposite Party/s : Mrs.Asha Devi, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 23-10-2024 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in Nautan P.S. case No. 283 of 2024 instituted for the offences under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 6.840 liters liquor was recovered from the motorcycle and the petitioners were arrested from 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 and the motorcycle. It is further submitted that the petitioners were the passers by of the way and at the time of chase, the accused persons fled away and the petitioners got arrested by the police. The petitioners are in custody since 06.08.2024 and have got no criminal antecedent. There is no compliance of Section 100 of Cr.P.C.

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 Nautan P.S. case No. 283 of 2024.

(Rudra Prakash Mishra, J)

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