

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75135 of 2024

Arising Out of PS. Case No.-1096 Year-2024 Thana- Excise P.S. District- East Champaran

1. Mohammad Serajul @ Serajul Alam Son of Shoram Miya Village- Singhiya Gumti, P.S-Banjariya ,District-East Champaran
2. Jahangir Alam son of Moharam Miya Village- Singhiya Gumti, P.S-Banjariya ,District-East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Shankar Shrivastava, Advocate
For the Opposite Party/s : Ms. Renu Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 21-10-2024 Heard learned counsel for the petitioners and Ms. Renu Kumari, learned APP for the State.

2. The petitioners seek bail in connection with Excise PS Case No. 1096 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 75 liters *nepali* liquor was recovered from bus.

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. Charge sheet



has already been submitted in this case. The petitioners are in custody since 08-07-2024, 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, clean antecedent of the petitioners 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 PS Case No. 1096 of 2024.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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