

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.77136 of 2024**

Arising Out of PS. Case No.-1482 Year-2024 Thana- Excise P.S. District- East Champaran

1. Mohit Yadav Son of Madan Yadav Resident of Village- Ward No. 01, Srinagar, P.S.- Srinagar, Distt.- West Champaran (Bettiah)
2. Jaikishun Kumar @ Jaikishun Kr. @ Jai Kisan Kumar Son of Om Prakash Prasad Resident of Village- Ward No. 3, Dumari Yogapatti, P.S.- Yogapatti, Distt.- West Champaran (Bettiah)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Umesh Kumar Gupta, Advocate  
For the Opposite Party/s : Mr. Ramesh Chandra, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA**

ORAL ORDER

2      26-10-2024              Heard learned counsel for the petitioners and learned APP  
for the State.

2.      The petitioners seek bail in connection with Excise PS Case No. 1482 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 103.680 liters foreign liquor was recovered from Maruti Suzuki Car.

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. Petitioner



No.1 is the driver of the car, whereas petitioner No.2 is the cleaner of the car. The petitioners are in custody since 08-09-2024. Petitioner No. 1 bears two criminal antecedents whereas petitioner No.2 is a man of clean 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 Excise PS Case No. 1482 of 2024.

**(Rudra Prakash Mishra, J)**

Raj Kishore/-

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