

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77140 of 2024

Arising Out of PS. Case No.-201 Year-2024 Thana- Excise P.S. District- Bhojpur

1. Rajnish Kumar Son of Abhaynarayan Ram @ Abhay Narayan Ram @ Abhay Narayan Resident of Village - Karenja, Pipra Kalan, Ward No. 43, Police Station - Narahi, District - Balia (Uttar Pradesh)
2. Suresh Ram Son of Ram Awatar Ram Resident of Village - Karenja, Pipra Kalan, Ward No. 43, Police Station - Narahi, District - Balia (Uttar Pradesh)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Akash Kumar Mishra, APP
For the Opposite Party/s : Mr. Nityanand, 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 Sadar (Ara) PS Case No. 201 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 276.480 liters foreign liquor was recovered from Tata Pickup van.

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 pickup van, whereas petitioner No.2 is the cleaner of the pickup van. The petitioners are in custody since 12-09-2024, having 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 Excise Sadar (Ara) PS Case No. 201 of 2024.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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