

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77169 of 2024

Arising Out of PS. Case No.-677 Year-2024 Thana- Excise P.S. District- Kaimur (Bhabua)

1. Om Prakash Singh Ramkedar Singh Resident of Village- Baradih, P.S -Karagahar, Distt.- Rohtas (Sasaram), State- Bihar.
2. Lalan Singh S/O Raja Ram Singh Resident of Village- Baradih, P.S -Karagahar, Distt.- Rohtas (Sasaram), State- Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Saroj Kumar, Advocate

For the Opposite Party/s : Mr. Md. Nazir Ansari, 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 Kaimur (Bhabua) PS Case No. 677 of 2024 instituted for the offences under Sections 30(a), 32(1) & (3), 41(1) & 2 of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 243.360 liters liquor was recovered from tractor.

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 tractor, whereas petitioner No.2 is the cleaner of the tractor. The petitioners are in custody since 28-08-2024, 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 Kaimur (Bhabua) PS Case No. 677 of 2024.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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