

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78279 of 2024

Arising Out of PS. Case No.-184 Year-2024 Thana- Excise P.S. District- Bhojpur

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1. Ashish S/O Ram Niwas Resident of Village- Gikda, Police Station- Charkhi Dadri, District- Charkhidadri, State- Haryana.
 2. Lokesh S/O Sher Singh Resident of Village- Gikda, Police Station- Charkhi Dadri, District- Charkhidadri, State- Haryana.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nilendu Kumar Choudhary, Advocate
For the Opposite Party/s : Mr. Parmanand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 30-10-2024 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in Sadar Excise P.S. Case No. 184 of 2024, instituted for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 194.400 liters liquor was recovered from i20 car and both the petitioners were apprehended on 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. Learned counsel for the petitioners further submits that the petitioners are not the owner of the car in question. It is also submitted that petitioner no. 1 is driver and petitioner no. 2 co-driver of the car and both of them had no knowledge regarding the goods being loaded in the vehicle. The petitioners are in custody since 18.08.2024 and have got no criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

5. Learned APP 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/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Sadar Excise P.S. Case No. 184 of 2024.

(Rudra Prakash Mishra, J)

Rajorshi/-

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