

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77949 of 2024

Arising Out of PS. Case No.-70 Year-2024 Thana- GARHI District- Jamui

1. RAJESH KUMAR @ TOTWA @ TOTO YADAV @ RAJESH S/O KEDAR YADAV R/O VILL-KARKATTI, PS-GARHI, DIST-JAMUI
2. Mithilesh Kumar @ Mithlesh Kumar S/O Late Sudin Yadav R/O Vill-Tilakpur, P.S-Khaira, Dist.-Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Singh, Advocate

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 20-12-2024 Heard learned counsel for the petitioners and
learned A.P.P. for the State .

2. Petitioners seek regular bail in a case registered for the offence punishable under Sections 30(a) of the Bihar Prohibition & Excise Act.

3 . As per the prosecution case , 150 litres of country made liquor was recovered from the TATA Victa vehicle of petitioner.



4. Learned counsel for the petitioners submits that no incriminating material has been recovered from conscious possession of the petitioners. Petitioner No. 1 has been made accused in this case merely because he has falsely been shown as purchaser of the seized vehicle in question on the basis of one stamp paper which was alleged to be found in the vehicle in question and petitioner No. 2 has been made accused in this case merely because he happens to be the co-passenger of the vehicle in question . Petitioners are in custody since 25.08.2024 . Chargesheet has already been submitted.

5 . Learned A.P.P. for the State vehemently opposed the bail application .

6. Considering the nature of accusation and period of custody, the bail application is allowed. Let the above named petitioners be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned court of Exclusive Excise Court– I Jamui in connection with Garhi P. S. Case No. 70 of 2024 .

(Prabhat Kumar Singh, J)

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