

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79952 of 2024

Arising Out of PS. Case No.-646 Year-2024 Thana- Excise P.S. District- Kaimur (Bhabua)

1. Ajay Chauhan S/o- Late Ramji Chauhan Village- Nandganj P.s-Nandganj District-Ghazipur, U.P
2. Santlal Bind S/o- Manaye Bind @ Manai Bind Village- Nandganj P.s-Nandganj District-Ghazipur, U.P

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan, Advocate

For the Opposite Party/s : Mr.Brajendra Nath Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 14-11-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners seek bail in connection with P.R.
No. 646 of 2024 arising out of Excise (Bhabhua) PS Case No.
646 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 total 227
litres of foreign liquor was recovered from Car.

4. Learned counsel for the petitioners submit that the
petitioner is innocent and has 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. It is



submitted that petitioner no. 1 is the driver of the vehicle and petitioner no. 2 is the passenger of the vehicle and they have no knowledge regarding the goods kept in the vehicle. The petitioners are in custody since 15.08.2024 and has got no criminal antecedent. There is no compliance of Section 103 of B.N.S.S.

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, clean antecedent of the petitioners 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 P.R. No. 646 of 2024 arising out of Excise Police Station Case No. (Bhabhua) Case No. 646 of 2024.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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