

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79739 of 2024

Arising Out of PS. Case No.-305 Year-2024 Thana- BUXAR MUFFSIL District- Buxar

1. Prince Kumar @ Prince Kumar Yadav S/o- Thakur Prasad Singh Village- Malikaundha Ps- Itarhi Dist-Buxar
2. Prince Kumar S/o- Munna Singh Village- Dumara Ps-Dinara Dist- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun Kumar Gupta, Advocate

For the Opposite Party/s : Mr. Kalyan Shankar, 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 Buxar (Muffasil) PS Case No. 305 of 2024 instituted for the offences under Section 30(a) of the Bihar Prohibition and Excise Act and Sections 25(1-B)a, 26 & 35 of the Arms Act.

3. The prosecution case, in short, is that 1.11 litres of liquor, one country made pistol and two live cartridges from one bag and from another bag 360 ml. liquor was recovered from the house of the petitioners.

4. Learned counsel for the petitioners submit that the petitioners are 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 petitioners have no concern with the said Yadav palace, from where recovery is made and in fact petitioners went to the said place for inquiry regarding rent. The petitioners are in custody since 19.09.2024 and has got no criminal antecedent. There is no compliance of Section 103 of B.N.S.S. Other co-accused has been granted bail by this Court *vide* orders dated 26.10.2024 and 28.10.2024 in Cr. Misc. No.77182 of 2024 and 77250 of 2024 respectively.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

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 petitioner.

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 Buxar
(Muffasil) PS Case No. 305 of 2024.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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