

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79892 of 2024

Arising Out of PS. Case No.-263 Year-2024 Thana- JOGAPATTI District- West Champaran

1. Saddam Ansari S/O Ali Hussain R/O Village- Hareya Buzurg, P.S- Kuber Stahn, Distt.- Kushinagar (Uttar Pradesh).
2. Sanny kumar singh @ Shani Kumar Singh @ Shani Kumar S/O Mast Raj Singh R/O Village- Hareya Buzurg, P.S- Kuber Sthan, P.S- Kushinagar, District- Uttar Pradesh.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate

For the Opposite Party/s : Ms. Veena Kumari Jaiswal, 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 Yogapatti PS Case No. 263 of 2024 instituted for the offences under Sections 317(5) of B.N.S and 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 216 litres of English liquor was recovered from the pick-up bolero.

4. Learned counsel for the petitioners submit 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. It is submitted petitioner no. 1 is the driver and petitioner no. 2 is the passenger of the seized vehicle. They have no knowledge regarding nature of goods laden in the vehicle. The petitioners are in custody since 18.08.2024 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 Yogapatti PS Case No. 263 of 2024.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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