

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79929 of 2024

Arising Out of PS. Case No.-110 Year-2024 Thana- LAKHAURA District- East Champaran

1. Kamal Rai Son of Late Rambilash Rai Resident of village - Chhotaka Pakahi P.S.- Lakhaura , District- East Champaran
2. Surendra Kumar Son of Sukhadi Rai Resident of village - Chhotaka Pakahi P.S.- Lakhaura , District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kundan Rathore, Advocate
For the Opposite Party/s : Ms. Asha Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

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

2. The petitioners seek bail in connection with Lakhaura PS Case No. 110 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 37 litres in which 25 litres country made liquor and 12 litres Nepali liquor was recovered from the house of co-accused.

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 has got no concern with the alleged recovery of liquor. It is



submitted that recovery is made from the co-accused. The petitioners are in custody since 09.09.2024 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 petitioner 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 Lakhaura PS Case No. 110 of 2024.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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