

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78964 of 2024

Arising Out of PS. Case No.-80 Year-2024 Thana- Rangara District- Bhagalpur

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1. Suman Kumar Son of Bulo Rajak R/O- Bhimdas, Tola , P.S- Rangra, Distt- Bhagalpur
 2. Ravin Kumar Mangan Mahaldar R/O- Bhimdas Tola, P.S. Rangra District Bhagalpur
 3. Bipin Paswan Suresh Paswan R/O- Bhimdas Tola, P.S. Rangra District Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Diwakar Upadhyaya, Adv.
For the Opposite Party/s : Mrs. Renu Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 11-11-2024 Heard Mr. Diwakar Upadhyaya, learned counsel for the petitioners and Mrs. Renu Kumari, learned APP for the State.

2. The petitioners seek bail in connection with Rangra P.S. Case No. 80 of 2024 instituted for the offences under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per prosecution case, the police has recovered 46.125 litres of India-made foreign liquor from the Scorpio vehicle bearing Regd. No. DL12CA0599.

4. Learned counsel for the petitioners submits that the



petitioners are innocent and have committed no offence as alleged against them and have falsely been implicated in the present case. The petitioners are neither driver nor owner of the alleged vehicle rather they were simply passengers of the same and had taken lift in the vehicle. All the petitioners are co-villagers. The petitioners were not aware about the incriminating article being kept in the alleged vehicle. The owner of the vehicle, in question, is one Rajesh Kumar Sah with whom the petitioners have no concern. The petitioners are also not involved in the illegal business of liquor. The petitioners have no concern with the seized liquor. There is a non-compliance of Section 100 of the Cr.P.C. which creates a serious doubt in the prosecution case. The petitioner no.2 has one criminal antecedent whereas petitioner nos. 1 & 3 have no criminal antecedent. The petitioners are languishing in judicial custody since 11.09.2024 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioners,



let the petitioners, abovenamed, 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 Rangra P.S. Case No. 80 of 2024.

(Rudra Prakash Mishra, J)

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