

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81277 of 2024

Arising Out of PS. Case No.-362 Year-2024 Thana- SIRDALA District- Nawada

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1. Dharmendra Chaudhary @ Chhotu Chaudhary Son Of Arjun Chaudhary Resident Of Village- Pidiya, P.S.- Fatehpur, District- Gaya
 2. Gopal Chaudhary Son Of Vijay Chaudhary Resident Of Village- Pidiya, P.S.- Fatehpur, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Deo Raj, Advocate

For the Opposite Party/s : Mr. Gauri Shankar Gupta, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 21-11-2024 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Sirdala PS Case No. 362 of 2024 instituted for the offences under Sections 30(a) and 41(1) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 105 litres of country made liquor was recovered from the Tempo.

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 that both the petitioners are passenger of the seized vehicle and they have no knowledge regarding the nature of goods laden in the vehicle. The petitioners are in custody since 29.09.2024. Petitioner No.1 has got two criminal antecedents and petitioner No. 2 has no criminal antecedents. 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 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 Sirdala PS Case No. 362 of 2024.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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