

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80635 of 2024

Arising Out of PS. Case No.-961 Year-2024 Thana- Excise P.S. District- Aurangabad

1. Ajay Paswan Son of Balram Paswan R/O Village- Shivsthan Thakurwari Road, Pokhra Muhalla, P.S- Aurangabad Town, District- Aurangabad.
2. Munna Kumar Son of Late Krishana Prasad R/O Village- Tikari Muhalla, Shahpur Road, P.S- Aurangabad Town, District- Aurangabad.
3. Bablu Soni @ Bablu Kumar Soni Son of Late Lakhan Prasad Soni R/O Village- Shivsthan Thakurwari Road, Pokhra Muhalla, P.S- Aurangabad Town, District- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Mukul Kumari, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 20-11-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners seek bail in connection with
G.R. No. 1516 of 2024 arising out of Excise PS Case No. 961 of
2024 instituted for the offences under Sections 30(a), 30(c),
30(d), 32(3), 36, 41(1) and 41(2) of the Bihar Prohibition and
Excise Act.

3. The prosecution case, in short, is that 108 litres of
country made liquor, 75 litres of Spirit, 500 empty bottles was
from the Campus of Shamshan Ghat.

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 recovery is from an open place, which is accessible to one and all. The petitioners are in custody since 24.09.2024 and have 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 G.R. No. 1516 of 2024 arising out of Excise PS Case No. 961 of 2024.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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