

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80546 of 2024

Arising Out of PS. Case No.-149 Year-2024 Thana- MAHESHKHUNT District- Khagaria

1. Rakesh Jha Son of Arjun Jha Resident of Village- Purvi Thatha, Ward No. 10, P.S.- Mansi, District- Khagaria
2. Deva Kumar son of Manoj Paswan Resident of Village- Purvi Thatha, Ward No. 10, P.S.- Mansi, District- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhim Kumar Yadav, Advocate
For the Opposite Party/s : Mr. Sanjay Kumar Pandey, 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 Maheshkhunt PS Case No. 149 of 2024 instituted for the offences under Sections 30(a), 32(1), 32(2), 41 of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 1107 litres of foreign liquor was recovered from Pick-up Van.

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 petitioners are neither the owner nor the driver of the vehicle in question. The petitioners are in custody since 25.08.2024 and petitioner no. 1 has got one criminal antecedent in which he is on bail and petitioner no. 2 has 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 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 Maheshkhunt PS Case No. 149 of 2024.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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