

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81793 of 2024

Arising Out of PS. Case No.-254 Year-2024 Thana- Excise P.S. District- Madhubani

1. Mukesh Kumar @ Mukesh Kumar Yadav S/o Ram Udgar Yadav R/o vill - Singiyon, P.S. - Andrathardhi, Distt.- Madhubani
2. Bhagwan Lal Mandal S/o Kari Mandal R/o Shiva, P.S. - Andrathardhi, Distt.- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ratnakar Jha, Advocate
For the Opposite Party/s : Mr. Parmanand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 02-12-2024 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with G.O. No. 2318 of 2024. arising out of Excise P.S. Case No. 254 of 2024 instituted for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 1485 litres of liquor has been recovered from three cars.

4. Learned counsel for the petitioners submitted that the petitioners have falsely been implicated in the present case. No incriminating article has been recovered from the conscious possession of the petitioners. Learned counsel further submitted



that petitioners are not the owner of the vehicles in question. The petitioners have got no concern with the alleged recovery of liquor. The petitioners are in custody since 13.09.2024. Petitioner no. 1 has two criminal antecedents whereas petitioner no. 2 has one criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarika Suraksha Sanhita, 2023.

5. Learned APP 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 G.O. No. 2318 of 2024. arising out of Excise P.S. Case No. 254 of 2024.

(Rudra Prakash Mishra, J)

Alok Verma/-

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