

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82443 of 2024

Arising Out of PS. Case No.-678 Year-2024 Thana- Excise P.S. District- Bhagalpur

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1. Nitish Kumar Son of Sri Arun Chodhary Resident of Village- Bharso, P.S.- Parbatta, Distt.- Khagaria
 2. Ankit Kumar Son of Bachneshwar Prasad Singh R/O-Village- Saidpur, PS- Gopalpur, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Kanchan Kumari, Advocate
For the Opposite Party/s : Mr. Gauri Shankar Gupta, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 04-12-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners seek bail in connection with Naugachia PS Case No. 678 of 2024 instituted for the offences under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 126 litres of foreign liquor was recovered from 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 petitioners are neither the owner nor the driver of



the seized vehicle in question. Both the petitioners are recovery agent. The petitioners are in custody since 02.10.2024 and has 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 Naugachia PS Case No. 678 of 2024.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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