IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81501 of 2024

Arising Out of PS. Case No.-158 Year-2024 Thana- Excise P.S. District- Vaishali

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1. SUDHIR KUMAR S/o Surendra Rai R/o vill - Manpura, ward no. 1, P.S. - Mahua, Distt.- Vaishali
2. Niraj Kumar S/o Late Dinesh Singh R/o vill - Daud Nagar, ward no.9 , P.S. - Bidupur, distt.- Vaishali
3. Md. Nasim S/o Lal Mohammad R/o vill - Saidpur Manpura, ward no. 6, P.S. - Mahua, Distt.- Vaishali

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Shashi Ranjan Kumar, Advocate
For the Opposite Party/s : Ms. Rita Verma, APP

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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 Prohibition P.S. Mahua (Mahua Excise P.S.) Case No. 158 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 600 litres of country made liquor was recovered from three motorcycles.

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

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the conscious possession of the petitioners. The petitioners have got no concern with the alleged recovery of liquor. It is submitted that motorcycles in question do not belong to the petitioners. The petitioners are in custody since 07.10.2024 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 Prohibition P.S. Mahua (Mahua Excise P.S.) Case No. 158 of 2024.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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