

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81817 of 2024

Arising Out of PS. Case No.-328 Year-2024 Thana- NASRIGANJ District- Rohtas

1. Arun Yadav S/o- Ram Kumar Yadav @ Ram Kuwar Resident of Village-
Surhampur PS- Mohammadabad District-Mau Uttar Pradesh
2. Raju Pal S/o- Ramdeo Pal Village- Amra Talab Ps- Sasaram M,Dist- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Siddharth Harsh, Adv.

For the Opposite Party/s : Mr.Shailendra Kumar Singh, 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
Nasriganj P.S. Case No. 328 of 2024 instituted for the offences
under Section 30(a) of the Bihar Prohibition and Excise Act,
2018.

3. As per prosecution case, the police has recovered
total 267 litres of illicit foreign liquor from the truck bearing
registration no. UP-64-H-7804.

4. Learned counsel for the petitioners submits that the
petitioners are innocent and have committed no offence as
alleged against them and have falsely been implicated in the



present case. He submits that nothing incriminating has been recovered from the conscious possession of the petitioners. He further submits that the petitioners have no concern either with the alleged truck or the Scorpio. The petitioners have also nothing to do with the recovered liquor. He further submits that actually the petitioners had taken lift in the Scorpio while they were returning Amara Talab after visiting a relative where there was a bereavement. There is a non-compliance of Section 100 of the Cr.P.C. which creates a serious doubt in the prosecution case. The petitioners have no criminal antecedent and is languishing in judicial custody since 28.09.2024 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioners and the petitioners having no criminal antecedent, let the petitioner, abovenamed, 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 Nasriganj P.S. Case
No. 328 of 2024.

(Rudra Prakash Mishra, J)

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