

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82575 of 2024

Arising Out of PS. Case No.-302 Year-2024 Thana- Excise P.S. District- Buxar

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1. Guddu Yadav S/O Surendra Yadav R/O Village- Sonbarsa, P.S- Bairiya, District- Balia (UP)
 2. Sunil Kumar Yadav S/O Bhola Nath Yadav R/O Village- Tola Fateh Rai P.S- Bairiya, District- Balia (UP)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satyapal Singh, Advocate
For the Opposite Party/s : Mr. Parmanand Kumar, 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 Excise Buxar PS Case No. 302 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 33.300 litres of foreign liquor was recovered from Car.

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 petitioner no. 1 is the driver and petitioner no. 2



is the passenger sitting in vehicle. The vehicle in question does not belong to the petitioners. The petitioners are in custody since 23.09.2024. Petitioner no. 2 has one criminal antecedent in which he is on bail and petitioner no. 1 has no criminal antecedent. There is no compliance of Section 100 of Cr.P.C.

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 Excise Buxar PS Case No. 302 of 2024.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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