

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83685 of 2024

Arising Out of PS. Case No.-236 Year-2024 Thana- PIPRAKOTHI District- East Champaran

1. Upendra Kumar Son of Fulena Prasad @ Fulena Prasad Yadav Resident of village-Mathurapur P.S- Turkauliya, Distt. East Champaran
2. Devlal Paswan Son of Late Badri Paswan @ Badri Paswan Resident of village-Madhapur Madhumalat, P.S- Turkauliya, Distt. East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Kumar, Advocate

For the Opposite Party/s : Mr. Prem Kumar Jha, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 09-12-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners seek bail in connection with
Piprakothi PS Case No. 236 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 70.800
litres liquor was recovered from possession (house) of different
persons from which 2 litres of country made liquor was
recovered from the possession of the petitioners.

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 other co-accused disclosed the name of the petitioners. It is also submitted that recovery is made from the joint house of the petitioners where the other family members also reside. The petitioners are in custody since 08.10.2024 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 Piprakothi PS Case No. 236 of 2024.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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