

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83911 of 2024

Arising Out of PS. Case No.-594 Year-2024 Thana- HARSIDHI District- East Champaran

1. Motilal Sah Son of Sitaram Sah Resident of village- Lalganj Ward No 03, Police Station- Harsidhi, District -East Champaran
2. Raviranjana Kumar son of Motilal Sah Resident of village- Lalganj Ward No 03, Police Station- Harsidhi, District -East Champaran
3. Aman Kumar son of Motilal Sah Resident of village- Lalganj Ward No 03, Police Station- Harsidhi, District -East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Karandeep Kumar, Advocate
For the Opposite Party/s : Ms. Veena Kumari Jaiswal, 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 Harsidhi PS Case No. 594 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 66 litres of foreign liquor in which 36 litres from Scorpio and 30 litres recovered from the water tank of the house.

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 recovery is from the back side of the house, which is an open place accessible to one and all. The petitioners are neither the owner nor the driver of the seized vehicle. The petitioners are in custody since 05.11.2024 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 Harsidhi PS Case No. 594 of 2024.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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