

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83840 of 2024

Arising Out of PS. Case No.-301 Year-2024 Thana- DURAULI District- Siwan

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1. Pawan Yadav S/O Deo Sharan Yadav R/O Village- Majhwaliya, P.S. - Ashaw, District- Siwan
 2. Pankaj Kumar S/O Bhagwat Singh Kushwaha R/O Vill.- Baniya Chhaper, P.S. - Fulwariya, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raghav Prasad, Advocate
For the Opposite Party/s : Mr. Upendra Kumar, 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 Darauli PS Case No. 301 of 2024 instituted for the offences under Sections 30(a) and 41 (i) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 738 litres of country made liquor was recovered from Mahindra Tuv 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 petitioners are neither the owner nor the driver of the seized vehicle. The petitioners are in custody since 23.09.2024. The petitioners have two criminal antecedents. 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 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 Darauli PS Case No. 301 of 2024.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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