

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84295 of 2024

Arising Out of PS. Case No.-1512 Year-2024 Thana- Excise P.S. District- East Champaran

1. Akhilesh Kumar S/o Rambinod Sah @ Ram Vinod Kumar R/o Village- Narkatiyaganj Chini Mil Colony, Ward No.11, P.S.- Shikarpur, District- West Champaran
2. Birbahadur Kumar S/o Baliram Patel R/o Village- Satwariya, Ward No.11, P.S.- Shikarpur, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sumit Kumar, Advocate
For the Opposite Party/s : Ms. Gulnar Begum, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 10-12-2024 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Excise (Motihari) PS Case No. 1512 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 108 litres of Nepali liquor was recovered from two cars.

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 the drivers of the seized vehicles and they have no knowledge regarding the nature of goods kept in the vehicles. The petitioners are in custody since 12.09.2024 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 Excise (Motihari) PS Case No. 1512 of 2024.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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