

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84350 of 2024

Arising Out of PS. Case No.-129 Year-2024 Thana- MADHWAPUR District- Madhubani

1. Suraj Kumar Son of Ramchandra Mandal Resident of Village- Koyali, P.S.- Nanpur, Distt.- Sitamarhi
2. Vinay Kumar Son of Sajjan Mahto Resident of Village- Koyali, P.S.- Nanpur, Distt.- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Nitu Kumari, Advocate
For the Opposite Party/s : Ms. Renu Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 11-12-2024 Heard Ms. Nitu Kumari, learned counsel for the petitioners and Ms. Renu Kumari, learned APP for the State.

2. The petitioners seek bail in connection with Madhwapur PS Case No. 129 of 2024 instituted for the offences under Sections 274, 275, 3(5) of B.N.S and 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 305.640 litres Nepali 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 have 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 car. The petitioners are in custody since 28.10.2024 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 Madhwapur PS Case No. 129 of 2024.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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