

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85788 of 2024

Arising Out of PS. Case No.-1673 Year-2024 Thana- Excise P.S. District- East Champaran

1. Bhupendra Kumar S/O Anutha Ray @ Anutha Rai Resident of Village - Khodha, P.S.- Chiraiya, Distt.- East Champaran.
2. Sajjan Kumar S/O Hridya Prasad Yadav Resident of Village - Godhiya Fulwar, P.S.- Lakhaura, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 17-12-2024 Heard learned counsel for the petitioners and learned APP
for the State.

2. The petitioners seek bail in connection with Excise PS Case No. 1673 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 51 liters *Nepali* liquor was recovered from motorcycle.

4. Learned counsel for the petitioners submits 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. Motorcycle



in question belongs to the petitioner and they were going to market without helmet and during course of vehicle checking, they have been falsely implicated. The petitioners are in custody since 04-10-2024 and have got no criminal antecedent. There is no compliance of Section 100 of Cr.P.C.

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 PS Case No. 1673 of 2024.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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