

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85604 of 2024

Arising Out of PS. Case No.-316 Year-2024 Thana- ADAPUR District- East Champaran

1. Nimesh Kumar Singh S/O Omkar Singh Resident of village- Fulwar Gamhariya, P.S- Banjariya, District- East Champaran.
2. Hariom Yadav S/O Hira Yadav Resident of village- Fulwar Gamhariya, P.S- Banjariya, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate
For the Opposite Party/s : Mr. Ram Bilash Roy Raman, 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 Adapur PS Case No. 316 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 163.200 litres of Nepali liquor was recovered from Mahindra Car and 1.8 litres Nepali liquor was recovered from motorcycle.

4. Learned counsel for the petitioners submit that the petitioners are innocent and has 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 petitioner no. 2 is the driver of the said car and petitioner no. 1 is the passenger of the said vehicle and they have no knowledge regarding the nature of goods kept in the vehicle. It is further submitted that motorcycle in question does not belong to the petitioners. The petitioners are in custody since 09.10.2024 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 Adapur PS Case No. 316 of 2024.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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