

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6199 of 2024

Arising Out of PS. Case No.-149 Year-2023 Thana- PANJWARA District- Banka

1. Md Ataul Hak @ Akbar, aged about 29 years, Gender-Male, Son of Mustafa Shah, Resident of Village- Belaganj, Police Station- Gangor, District- Khagariya.
2. Uttam Kumar Singh, aged about 19 years, Gender-Male, Son Of Brahamdev Singh Resident of Village- Rangania, Police Station- Poraiyahat, District- Godda.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Rita Verma, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 12-02-2024 Heard learned counsel for the petitioners and
learned APP for the State.

2. The petitioners seek bail in connection with Panjwara P.S. Case No. 149 of 2023 instituted for the offence under Section 30(a) of the Bihar Prohibition of Excise Act, 2018.

3. As per prosecution case, total 504 litres of illicit foreign made liquor was recovered from the Blue colour Pick-up van bearing Registration No. BR09GB7592.



4. It has been submitted on behalf of the petitioners that the petitioners are in custody since 09.12.2023. Petitioners have no criminal antecedents, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioners' counsel that petitioners have been falsely implicated in the present case. The petitioners were the driver and the co-driver of the said Pick-up van. The pick-up van in question does not belong to the petitioner. No incriminating article has been recovered from the conscious possession of the petitioners. There is no compliance of Section 100 of the Cr.P.C.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners.

7. Considering the aforesaid facts and circumstances of the case as well as the fact that petitioners were the driver and the co-driver of the said vehicle and period of custody of the petitioners, this Court is inclined to grant bail to the petitioners.

8. 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 Panjwara P.S. Case No. 149 of 2023.

(Rudra Prakash Mishra, J)

Nilmani/-

U		T	
---	--	---	--

