

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22468 of 2024

Arising Out of PS. Case No.-713 Year-2023 Thana- AURANGABAD TOWN District-
Aurangabad

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1. Navin Son Of Ved Prakash Resident Of Village - Sauri Patti, Khargoda, P.S. - Khargoda, District - Sonipat (Haryana)
 2. Manjit Son Of Sube Singh Resident Of Village - Pipri Gaon, P.S. - Khargoda, District - Sonipat (Haryana)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Advocate
For the Opposite Party/s : Mr. Uday Chand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 21-03-2024 Heard learned counsel for the petitioners and
learned APP for the State.

2. The petitioners seek bail in Aurangabad Town P.S. Case No. 713 of 2023, instituted for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 3096 liters liquor was recovered from truck and both the petitioner were apprehended on spot.

4. Learned counsel for the petitioners submits 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 further submitted that the petitioner are driver and helper of the seized vehicle and they have no knowledge regarding the goods loaded in the vehicle. The petitioners are in custody since 06.10.2023 and have got no criminal antecedent. There is no compliance of Section 100 of Cr.P.C.

5. Learned APP 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 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/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Aurangabad Town P.S. Case No. 713 of 2023, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two



consecutive dates, the Trial Court will have liberty to cancel the
bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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