

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7032 of 2025

Arising Out of PS. Case No.-99 Year-2024 Thana- Excise Mashrakh District- Saran

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1. Akash S/o Pappu Singh R/o vill - Lahera, P.S. - Hapul, Distt. - Hapur (Hapur), U.P
 2. Khush Mohammad @ Khush Mahammad S/o Md. Abbas R/o vill - Mairaraika, P.S. - Manigachhi, Distt.- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nalin Kumar, Advocate
For the Opposite Party/s : Mr. Anish Chandra, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 13-02-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners seek bail in connection with Mashrakh Excise P.S. Case No. 99 of 2024, instituted for the offences punishable under Sections 30(a) and 32(3) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 134.28 liters liquor was recovered from Baleno car and the petitioners 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. Learned counsel for the petitioner further submits that the petitioners are not owner of the car in question. Petitioner no. 1 was passenger and petitioner no. 2 was driver and they have got no knowledge regarding the goods being loaded in the vehicle. The petitioners are in custody since 04.12.2024 and have got no criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

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 Mashrakh Excise P.S. Case No. 99 of 2024.

(Rudra Prakash Mishra, J)

Rajorshi/-

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