

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10509 of 2025

Arising Out of PS. Case No.-230 Year-2024 Thana- KASMA District- Aurangabad

1. Sushil Kumar @ Sunil Kumar son of Satendra Chaudhary Resident of village - Bheuri @ Bhewari, Bisambharpur, P.S.- Kasma, District - Aurangabad, Bihar
2. Pappu Kumar son of Mahendra Chaudhary Resident of village - Bheuri @ Bhewari, P.S.- Kasma, District - Aurangabad, Bihar

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Rupa Kumari, Advocate

For the Opposite Party/s : Mr. Umeshanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 24-02-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Kasma PS Case No. 230 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 410 litres of liquor was recovered from four motorcycles in which 105 litres of liquor was recovered from petitioner no. 1 and 100 litres of liquor was recovered from petitioner no. 2.

4. Learned counsel for the petitioners submit 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. It is submitted that the name of the petitioners have transpired as being owner of the motorcycles in question. The petitioner no. 1 has one criminal antecedent and petitioner no. 2 has no criminal antecedent. The petitioners are in custody since 23.12.2024 . 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 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 Kasma PS Case No. 230 of 2024.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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