

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76959 of 2024

Arising Out of PS. Case No.-339 Year-2024 Thana- BABUBARHI District- Madhubani

1. Md. Ibrahim Son of Md. Nasir Resident of village- Dharmohna, P.S.-Ladaniya, District - Madhubani
2. Md. Samir Son of Md. Haidar Resident of village- Khajedih, P.S.-Ladaniya, District - Madhubani

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Prakash, Advocate

For the Opposite Party/s : Mr.Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 18-01-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners has prayed for regular bail in a case registered for the offence punishable under sections 3 (5) of B.N.S and Section 30 (a) and 41 of the Bihar Prohibition and Excise Act.

3. The case of the prosecution is that in one Hyundai Car altogether 315 liters of Nepali countrymade liquor was recovered. Two persons were tried to flee but they were apprehended on the spot. Both are petitioners herein.

4. Learned counsel for the petitioners submits that petitioners are innocent and has falsely been implicated in



connection with the present case. It is further submitted they were not in the car. Further submissions is that petitioner no. 1 is having no criminal antecedent whereas petitioner no 2 has one criminal antecedent of similar nature. Moreover, the petitioners are languishing in judicial custody since 30.07.2024.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Considering the aforesaid facts and circumstances of the case, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be released on bail in connection with Babubarhi P.S. Case No. 339 of 2024 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge – IInd cum Special Judge (Excise Act), Madhubani.

(Ashok Kumar Pandey, J)

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