

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84303 of 2024

Arising Out of PS. Case No.-330 Year-2024 Thana- PATEPUR District- Vaishali

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1. Sunil Kumar S/O Suraj Singh R/o Vill.- Maudah Chatur, P.S- Harlochanpur, District- Vaishali.
 2. Tulsam Ram S/O Kesu Ram R/O Mohalla- Azad Nagar, P.S- Chauhatn, Distt.- Barmer, State- Rajasthan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anish Kumar, Advocate
For the Opposite Party/s : Mr. Damodar Prasad Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

3 16-01-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Patepur P.S. Case No. 330 of 2024 instituted for the offences punishable under Sections 30(a), 32(2), 41(1) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 3149.64 litres of liquor was recovered from three pick-up van and one truck. Petitioners were arrested on the spot.

4. Learned counsel for the petitioners submitted that the petitioners have falsely been implicated in the present case. No incriminating article has been recovered from the conscious



possession of the petitioners. Learned counsel further submitted that petitioner no.1 has no concern with the vehicles whereas petitioner no.2 is the driver of the truck in question. The petitioners have got no concern with the alleged recovery of liquor. The petitioners are in custody since 02.11.2024 and has no criminal antecedents. There is no compliance of Section 103 of the Bharatiya Nagarika 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/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Patepur P.S. Case No. 330 of 2024.

(Rudra Prakash Mishra, J)

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