

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88228 of 2024

Arising Out of PS. Case No.-193 Year-2024 Thana- Excise Jhanjharpur District- Madhubani

1. Baijnath Das S/O Jaykant Das R/O Village- Hathori Kothi, Ward No. 14, P.S.- Hayaghat, District- Darbhanga.
2. Md. Amjad Ali S/O Md. Nemat Ali R/O Village- Somni, Ward No. 16, P.S- Gangour, Distt.- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ratnakar Jha, Adv.
For the Opposite Party/s : Mr.Md. Shakir Ahmad, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA
ORAL ORDER

2 08-01-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners seek bail in connection with G.O.
No. 1447 of 2024 arising out of Jhanjharpur Excise P.S. Case
No. 193 of 2024 instituted for the offences punishable under
Sections 30(a), 32(1), 32(3) of the Bihar Prohibition and Excise
Act, 2018.

3. The prosecution case, in short, is that total 77.760
litres of liquor was recovered from the four wheeler bearing
Regd. No. DL4CAD2380.

4. Learned counsel for the petitioners submitted that
the petitioners have falsely been implicated in the present case
due to local politics and on the basis of suspicion. No



incriminating article has been recovered from the conscious possession of the petitioners. Learned counsel further submitted that petitioners are neither the owner nor the driver of the vehicle. The petitioners have got no concern with the alleged recovery of liquor. The petitioners are in custody since 13.11.2024 and have no criminal antecedent. There is no compliance of Section 100 of the 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/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with G.O. No. 1447 of 2024 arising out of Jhanjharpur Excise P.S. Case No. 193 of 2024.

(Rudra Prakash Mishra, J)

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