

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88279 of 2024

Arising Out of PS. Case No.-61 Year-2024 Thana- Pachpakdi District- East Champaran

1. Binit Kumar @ Vinit Kumar S/o Late Shri Bhagwan Sah @ Late Bhagwan Shah R/o Village- Pachpakari, P.S.- Pachpakari, District- East Champaran
2. Santosh Kumar S/o Bihari Sah @ Bihari Shah R/o Village- Pachpakari, P.S.- Pachpakari, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rahul Singh, Advocate

For the Opposite Party/s : Ms. Renu Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 29-01-2025 Heard Mr. Rahul Singh, learned counsel for the petitioners and Ms. Renu Kumari, learned APP for the State.

2. The petitioners seek bail in connection with Pachpakari PS Case No. 61 of 2024 instituted for the offences under Sections 30(a) and 41(1) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 34.500 litres of Nepali liquor was recovered from motorcycle.

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 motorcycle in question belongs to brother of petitioner no. 2. The petitioners are in custody since 26.10.2024 and has got no criminal antecedent. 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, clean antecedent of the petitioners 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 Pachpakari PS Case No. 61 of 2024.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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