

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88343 of 2024

Arising Out of PS. Case No.-927 Year-2024 Thana- SONEPUR District- Saran

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1. Shiv Kumar Son of Dinesh Rai Resident of Bidupur Dih, P.S- Bidupur, District- Vaishali
 2. Ajay Kumar Son of Mohan Ray Resident of Bidupur Dih, P.S- Bidupur, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dharendra Prasad Sinha, Advocate
For the Opposite Party/s : Mr. Anant Kumar 1, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 29-01-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Sonepur PS Case No. 927 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 400.14 litres of foreign liquor was recovered from Bolero Pick-up.

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 petitioner no. 1 is the driver and petitioner no. 2



is the co-driver (Khalasi) of the seized vehicle and they have no knowledge regarding the nature of goods booked by the transporter. The petitioners are in custody since 07.11.2024. Petitioner No. 1 has clean antecedent and Petitioner No. 2 has one 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 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 Sonapur PS Case No. 927 of 2024.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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