

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89218 of 2024

Arising Out of PS. Case No.-353 Year-2024 Thana- PARSA District- Saran

1. Randhir Kumar S/o Mahesh Rai @ Mahesh Prasad Rai Resident of Village - Anyaya, PS- Parsa, District- Saran
2. Mahesh Rai @ Mahesh Prasad Rai S/o Baleshwar Rai Resident of Village - Anyaya, PS- Parsa, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anjani Parashar, Advocate

For the Opposite Party/s : Mr. Shyameshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 09-01-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Parsa P.S. Case No. 353 of 2024, instituted for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 425 liters liquor was recovered from bush near the house of the petitioners.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. No incriminating material have been recovered from the conscious possession of the petitioners. The petitioners



have got no concern with the alleged recovery of liquor. Learned counsel for the petitioners further submits that the alleged recovery has been made from bush near the house of the petitioners which is an open place and easily accessible to public at large. Petitioner no. 1 is son of petitioner no. 2. The petitioners are in custody since 25.10.2024. Petitioner no. 1 has got one criminal antecedent and petitioner no. 2 has got no criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarik 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/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Parsa P.S. Case No. 353 of 2024.

(Rudra Prakash Mishra, J)

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