

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89465 of 2024

Arising Out of PS. Case No.-748 Year-2024 Thana- Excise P.S. District- Siwan

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1. Vikash Tanwar S/o Rajendra Tanwar Resident of Jataula, PS- Gadhuri, District- Parwal, State -Haryana
 2. Suraj Kumar S/o Tej Narayan Singh R/o vill - Charo, P.s.- Patoriya, Distt.- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Rajesh Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 16-01-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. Learned counsel is permitted to make necessary correction during course of the day.

3. The petitioners seek bail in connection with Siwan Excise PS Case No. 748 of 2024 instituted for the offences under Sections 30(a) and 32(3) of the Bihar Prohibition and Excise Act.

4. The prosecution case, in short, is that total 332.325 litres of foreign liquor was recovered from Baleno Car.

5. Learned counsel for the petitioners submit 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. It is submitted that petitioner no. 1 is the driver and petitioner no. 2 is the co-driver of the vehicle and they have no knowledge regarding the nature of goods in the vehicle. The petitioners are in custody since 25.11.2024 and has got no criminal antecedent. There is no compliance of Section 103 of B.N.S.S.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners.

7. 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.

8. 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 Siwan Excise PS Case No. 748 of 2024.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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