

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90297 of 2024

Arising Out of PS. Case No.-249 Year-2024 Thana- MOHAMMADPUR District- Gopalganj

1. Anand Kumar S/O Jhunilal Paswan Resident of - Narayanpur Dadhiya, PS- Samastipur, District- Samastipur
2. Sonu Kumar S/O Bharat Mahto Resident of - Karpuri Gram , P.S- Karpuri Gram , District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sumit Shekhar Pandey, Advocate

For the Opposite Party/s : Ms.Asha Devi, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 18-01-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in Mohammadpur P.S. case No. 249 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 693 liters liquor was recovered from pick up van.

4. Learned counsel for the petitioners submits 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



further submitted that van in question does not belong to the petitioner. The petitioners had no knowledge regarding the nature of goods booked by the transporter. The petitioners are not involved in the business of liquor. The petitioners are in custody since 04.11.2024 and have got no criminal antecedent. There is no compliance of Section 103 of B.N.S.S., 2023.

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 Mohammadpur P.S. case No. 249 of 2024.

(Rudra Prakash Mishra, J)

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