

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1708 of 2025

Arising Out of PS. Case No.-187 Year-2024 Thana- Excise Benipatti District- Madhubani

1. Alok Kumar S/o Ranjeet Bari R/o Village- Churnabhatti, Laxmi, Sagar, P.S.- Mithila University, Dist.- Darbhanga
2. Krishna Kumar S/o Shrawan Bari R/o Village- Churnabhatti, Laxmi, Sagar, P.S.- Mithila University, Dist.- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Gagan Deo Yadav, Advocate
		Mr. Vinod Kumar, Advocate
		Mr. Rajesh Kumar, Advocate
For the Opposite Party/s :		Mr. Suresh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

6 30-01-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Benipatti Excise PS Case No. 187 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 180 litres of country made liquor was recovered from Tempo.

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 passenger of the seized tempo and they have no knowledge regarding the nature of goods laden in the vehicle. The petitioners are in custody since 16.11.2024 and has got no criminal antecedent. There is no compliance of Section 100 of Cr.P.C.

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 Benipatti Excise PS Case No. 187 of 2024.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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