

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19573 of 2022

Arising Out of PS. Case No.-42 Year-2019 Thana- KISHANGANJ District- Kishanganj

1. EID MOHAMMAD Son of Sahmat Resident of Village - Madarganj, P.S.- Simrahi, District - Araria
2. Sahadat Son of Sahep @ Shahib Resident of Village - Madarganj, P.S.- Simrahi, District - Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mohammad Akhter Hussain, Advocate
For the Opposite Party/s : Mr.Upendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 22-04-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State through virtual Court proceedings.

The petitioners seek bail in a case registered for the offences punishable under Sections 30(a) and 41(1) of the Bihar Excise Act.

Learned counsel for the petitioners submits that the petitioners are in custody since 07.03.2022, are persons with clean antecedent and charge-sheet has been submitted in the case.

Allegation is of recovery of 108.63 litres of liquor from a Maruti car.

Learned counsel for the petitioners submits that the



petitioners were not arrested from the spot and their name was disclosed by the co-accused, who was arrested, which has no evidentiary value.

Learned A.P.P. for the State opposes the prayer for bail of the petitioners.

Considering the fact that the petitioners are in custody since 07.03.2022, are persons with clean antecedent, charge-sheet has been submitted in the case, were not arrested from the spot and their name came in the confessional statement of co-accused, let the petitioners above named be released on bail on furnishing bail bond of Rs. 5,000/- (Rupees Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Kishanganj P.S. Case No. 42 of 2019.

(Satyavrat Verma, J)

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