

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28441 of 2022

Arising Out of PS. Case No.-282 Year-2022 Thana- SHERGHATI District- Gaya

1. Anshu Kumar Son Of Umesh Prasad Singh R/O - Nirpur, P.S.- Beur,
District- Patna, Bihar
2. Arbind Kumar Son Of Late Kunteshwar Yadav R/O - Nirpur, P.S.- Beur,
District- Patna, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anmol Kumar, Advocate

For the Opposite Party/s : Mr. Parmanand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 06-08-2022 Heard learned counsel for the petitioners and
learned A.P.P. for the State, through virtual Court proceedings.

Let the defect(s), as pointed out by the office, be
removed within a period of four weeks from today.

The petitioner seeks bail in connection with a case
registered for the offences punishable under Section 30(a) of
Bihar Prohibition and Excise Act.

Allegation is of recovery of 180.360 litres foreign
liquor from a car bearing Registration No. BR0PD-8421.

Learned counsel for the petitioners submit that the
petitioners are innocent and they have no concern with the
seized illicit liquor. It is submitted that mandatory provision of



Sub-section 2 of Section 74 and Section 82 of the Bihar Prohibition and Excise Act with respect to search and seizure have not been followed. It is further submitted that the petitioners are not the owner of the said vehicle, only they are driver and passenger. No incriminating articles have been recovered from the possession of the petitioner. The petitioners are in custody since 05.04.2022, are persons with clean antecedent.

Learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances of this case, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/-(Ten Thousand) only each two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Sherghati P.S. Case No. 282 of 2022.

(Khatim Reza, J)

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