

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28451 of 2022

Arising Out of PS. Case No.-27 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Saharsa

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1. Darsan Kumar @ Darshan Kumar Son of Bouku Sada @ Subhaklal Sada Resident of Village - Mainhadagra (Sundarwan), Ward No.9, P.s.- Mahishi, Distt.- Saharsa.
 2. Vikash Kumar @ Vikash Kumar Son of Suman Sada @ Ratan Sada Resident of Village - Mainhadagra (Sundarwan), P.s.- Mahishi, Distt.- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amarnath Jha, Advocate

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

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 06-08-2022 Heard learned counsel for the petitioners and Mr. Pradeep Narain Kumar, 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 petitioners seek bail in connection with a case registered against eight accused persons for the offences punishable under Section 30(a) of Bihar Prohibition and Excise Act.

Allegation is of recovery of 2298.06 liters of foreign liquor from a pickup van.

Learned counsel for the petitioners submits that the



petitioners are innocent and they have no concern with the seized liquor. It is submitted that the 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 in custody since 30.01.2022, charge has also been framed and 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 after framing of charge on furnishing bail bond of Rs. 10,000/- (Ten Thousand) only each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending in connection with Special (Excise) Case No. 27 of 2022.

(Khatim Reza, J)

Gaurav Kumar/-

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