

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28946 of 2022

Arising Out of PS. Case No.-226 Year-2022 Thana- ARA NAGAR District- Bhojpur

1. Mannu Kumar Son of Ramu Yadav Resident of Village - Ghughua Gausganj, P.S. - Ara Nagar, District - Bhojpur.
2. Dashrath Kumar Son of Bhikhari Yadav Resident of Village - Ghughua Gausganj, P.S. - Ara Nagar, District - Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shiv Prasad Gupta, Advocate

For the Opposite Party/s : Mr. Yogendra Kumar, A.P.P

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 petitioners seek 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 60 liter countrymade liquor
from a motorcycle.

Learned counsel for the petitioners submits that the
petitioners are innocent and the seized liquor was not recovered
from the physical possession of the petitioners. 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 in custody since 13.03.2022 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 petitioners are directed to be enlarged on bail 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 Ara Nagar P.S. Case No. 226 of 2022.

(Khatim Reza, J)

Gaurav Kumar/-

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