

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53291 of 2022

Arising Out of PS. Case No.-191 Year-2022 Thana- KARAHGAR District- Rohtas

1. Nagendra Kumar Son Of Late Amrendra Singh R/O Village- Bhaluahi, P.S.- Nokha, District- Rohtas At Sasaram
2. Shyam Singh Son Of Late Shiwa Ji Singh R/O Village- Shivobahar, P.S.- Surajpura, District- Rohtas At Sasaram

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chhote Lal Mishra, Adv.

For the Opposite Party/s : Mr. Md. Iftexhar Mahmood, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 21-10-2022 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioners and learned
A.P.P. for the State through virtual mode.

The petitioners seek regular bail in connection with
Kargahar P.S. Case No. 191 of 2022 lodged under Section 30(a)
of the Bihar Prohibition and Excise Act, 2018.

As per the prosecution case, the total recovery of
146.88 litres of English wine has alleged to be made in this case.

Learned counsel for the petitioners submit that they
are innocent and nothing was recovered from their conscious
position. There are 2 petitioners in this case. Learned counsel

for the petitioner No.1 submits that he works as daily wages driver, he was hired by owner of Maruti car whereas petitioner No. 2 has to return from Kudra market and therefore, he has taken left in the said car. Learned counsel for the petitioners submit that antecedent of the petitioners are clean, they are in custody since 06.06.2022. Learned counsel for the petitioners submit that entire seizure list is defective and not followed the principle of Section 100 of Cr.P.C..

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioners above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, 1st, Rohtas at Sasaram in connection with Kargahar P.S. Case No. 191 of 2022, subject to the conditions as laid down under Section 437(3) of Cr.P.C.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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