

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54794 of 2022

Arising Out of PS. Case No.-313 Year-2022 Thana- SABAUR District- Bhagalpur

1. Mahanand Kumar Son of Bijendra Yadav R/V- Mathani, P.S- Madhepura,
Dist- Madhepura
2. Ranjesh Kumar Son of Nandan Kumar R/V- Belo Chamber, P.S- Murliganj,
Dist- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Saket Tiwary, Adv.

For the Opposite Party/s : Mr. Khurshid Anwar, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 25-11-2022 Let the defect, 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
Sabour (Goradih) P.S. Case No. 313 of 2022 lodged under
Sections 30(a), 32(i)(ii)/41 of Bihar Prohibition and Excise Act,
2016.

As per the prosecution case, total recovery of 225
litre Indian made foreign liquor has been made, which is the
subject matter of the present case.

Learned counsel for the petitioners submit that

petitioners are innocent and have committed no offence. Counsel submits that the said wine has been recovered from the Scorpio vehicle and petitioner no. 1 is the owner of the said vehicle. Counsel submits that there is gross violation made in the seizure list and it is in complete violation of Section 100 of Cr.P.C. Counsel also submits that the antecedent of the petitioners are clean and they are in custody since 07.08.2022.

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) each with two sureties of the like amount each to the satisfaction of learned Special Judge Exclusive Excise Court No. 2, Bhagalpur in connection with Sabour (Goradih) P.S. Case No. 313 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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