

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55337 of 2022

Arising Out of PS. Case No.-133 Year-2022 Thana- KOCHADHAMAN District- Kishanganj

1. Sanjit Sharma Son Of Dinesh Sharma Resident of Village- Silet, Ward No.- 11, Police Station- Sour Bazar, District- Saharsa
2. Niraj Sada Son Of Lakshmi Sada Resident of Village- Silet, Ward No.- 11, Police Station- Sour Bazar, District- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Singh, Adv.

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 02-12-2022 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 Kochadhaman P.S. Case No. 133 of 2022 (Special Excise Case No. 400 of 2022), lodged under Section 420 of Indian Penal Code read with Sections 30(a)/32/41/47 of the Bihar Prohibition and Excise Act, 2016(18).

As per prosecution case, the total recovery of 152.250 liter of foreign liquor has been made, which is subject matter of the present case.

Learned counsel for the petitioners submits that antecedents of the petitioners are clean and they are in custody since 22.05.2022. He further submits that there is defective seizure list in this case and in preparation of this, there is gross violation of Section 100 of Cr.P.C. Learned counsel also submits that there are two petitioners in this case and petitioner No. 1 was alleged to be the driver and petitioner No. 2 was co-passenger.

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 Additional District and Sessions Judge IInd-cum-Special Judge (Excise), Kishanganj, in connection with Kochadhaman P.S. Case No. 133 of 2022 (Special Excise Case No. 400 of 2022), subject to the conditions as laid down under Section 437(3).

With this observation, the bail application stands allowed.

(Dr. Anshuman, J)

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