

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6799 of 2023

Arising Out of PS. Case No.-383 Year-2022 Thana- CHHAURADANO District- East
Champaran

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1. VINOD SAH S/o Prabhu Sah R/o village- Sukhalahiya (Sukhleniya), P.S.- Darpa, Distt- East Champaran.
 2. Santosh Kumar S/o Prabhu Singh @ Parbhu Singh R/o Village- Tinkoni, P.S.- Darpa, Distt- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Madhurendra Kumar

For the Opposite Party/s : Mr. Shaheen Begum

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 02-05-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners have prayed for regular bail in a case registered for the offence punishable under sections 30(a), 32, 41(i) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 156.00 liters Nepali liquor in sacks which was thrown away by the accused persons including the petitioners.

Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and has committed no offence. They has falsely been implicated in this present case. A statement has been made in para-3 of the petition that



the petitioners have got no criminal antecedent. Petitioners have no concern with the alleged recovery of illicit liquor or with the place of occurrence. No any incriminating article has been recovered from conscious possession of the petitioners. It is further submitted that the seizure list has not been prepared accordance with law. Moreover, the petitioners are languishing in judicial custody since 16.11.2022.

Learned APP appearing for the State has vehemently opposed the prayer of Bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be released on bail in connection with Chhaurandano (Mahuawa) P.S. Case No. 383 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No.2, East Champaran at Motihari.

(Sunil Kumar Panwar, J)

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