

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19470 of 2023

Arising Out of PS. Case No.-52 Year-2023 Thana- AMAS District- Gaya

1. Manoj Kumar Sinha S/O Rajendra Prasad Sinha R/O Kachahari Road, Madanpur, P.S- Madanpur, Distt.- Aurangabad.
2. Chhotu Kumar S/O Padarath Paswan R/O Devi Asthan, Madanpur, P.S- Madanpur, Distt.- Aurangabd.
3. Omprakash Paswan S/O Krit Paswan R/O Paswan Mohalla Madanpur, P.S- Madanpur, Distt.- Aurangabad.

... .. Petitioner/s

Versus

The State Of Bihar Patna Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Sinha
For the Opposite Party/s : Mr.Shaheen Begum

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 21-04-2023 Heard learned counsel for the petitioners and
learned APP for the State.

The petitioners prayed for regular bail in connection with Amas P.S. Case no. 52 of 2023 instituted for the offence under Sections 30(a) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 100 liter country made mahua liquor contained in polythene bags which were recovered from a tempo. Thereafter seizure list has been prepared and this case has been lodged.

Learned counsel appearing on behalf of the petitioners have submitted that petitioners are innocent and



have committed no offence. They have falsely been implicated in this present case. Petitioner no.2 is the owner of the said vehicle but all of them have no concern with the alleged recovery of illicit liquor. No any incriminating article has been recovered from their possession and seizure list has also not been prepared as per the provision of u/s 100 of the Cr.P.C. Moreover, the petitioners are languishing in judicial custody since 08.02.2023.

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

The petitioner no.2 namely, Chhotu Kumar is directed to deposit a sum of Rs 10,000/- (Ten Thousand) in the District Legal Services Authority of concerned District.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as judicial custody, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be released on bail in connection with Amas P.S. Case No. 52 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No-II, Gaya.



The bail bonds of the petitioner no.2 Chhotu Kumar shall be accepted by the learned court below on showing the receipt of deposit of Rs. 10,000/- (Rs. Ten thousand) by the petitioner in the account of the concerned DLSA.

(Sunil Kumar Panwar, J)

Manish/-

U		T	
---	--	---	--

