

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45336 of 2023

Arising Out of PS. Case No.-298 Year-2023 Thana- BARHARA District- Bhojpur

1. Md. Parvez Alam @ Md. Parvej Alam @ Md. Pravej S/O Md. Islam R/O Village- Gundi, Ps. Barhara (KRISHNAGARH O.P.), Dist. Bhojpur At Ara
2. Bhunda Miyan @ Bhunda Miya @ Akhtar S/O Md. Nasim R/O Village- Gundi, Ps. Barhara (KRISHNAGARH O.P.), Dist. Bhojpur At Ara
3. Chathu Paswan @ Chhathu Parsad S/O Bhikhari Paswan R/O Village- Gundi, Ps. Barhara (KRISHNAGARH O.P.), Dist. Bhojpur At Ara

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashank Shekhar
For the Opposite Party/s : Mr.Veena Kumari Jaiswal

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 28-07-2023 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) Bihar Prohibition and Excise Act.

As per prosecution case, the petitioner No-1 was

apprehended on the spot and total 120 liters illegal liquor

was recovered from a vehicle which was driven by him. It is

further alleged that upon his confession name of other



accused persons came in this case.

Learned counsel for the petitioners submit that the petitioners are innocent and have committed no offence. They have falsely been implicated in this case merely on the basis of confessional statement of petitioner No-1 which does not get evidentiary value in the eye of law. The petitioners have no concern with the recovered liquor and seizure list has not been prepared as per provision of Section 100 of the Cr.P.C.. It is further submitted that nothing incriminating article has been recovered from their conscious possession. Moreover, the petitioners are languishing in judicial custody since 17.05.2023.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioners, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be released on bail in connection with Barahara (Krishnagarh) P.S. Case No. 298 of 2023 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-1, Bhojpur at Ara.

(Sunil Kumar Panwar, J)

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