

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44747 of 2023

Arising Out of PS. Case No.-164 Year-2023 Thana- ARA MUFFSIL District- Bhojpur

1. MANJI YADAV S/O MANORANJAN YADAV R/O VILLAGE- BADKI SINGHI, PS. ARA NAGAR, DIST. BHOJPUR
2. DHARMENDRA RAM S/O LATE RAMJI RAM R/O VILLAGE- BADKI SINGHI, PS. ARA NAGAR, DIST. BHOJPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shiv Prasad Gupta

For the Opposite Party/s : Mr.Lakshmi Kant Sharma

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 bail in a case
instituted for the offence under Sections 30(a) of the Bihar
Excise Act.

Prosecution case relates to recovery of 240 litres
of illicit wine from a tempo of which petitioner no 2 was
driver and petitioner no. 1 was sitting behind after taking
lift.

Learned counsel appearing on behalf of the
petitioners has submitted that petitioners are innocent and
have committed no offence. They have got no criminal



antecedent. Provision of Section 100 CR.P.C. has not been followed by the police officials while preparing the seizure list. Both the petitioners are languishing in judicial custody since 15.4.2023.

Learned APP appearing for the State has 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 enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) each with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court 1st, Bhojpur at Ara in connection with Ara Mufassil P.S. Case No. 164 of 2023.

(Sunil Kumar Panwar, J)

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