

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44948 of 2023

Arising Out of PS. Case No.-214 Year-2023 Thana- JAGDISHPUR District- Bhojpur

1. KRISHNA KUMAR Son of Sona Lal Ram Resident of village - Osai, P.S. - Bihiya, Distt. - Bhojpur
2. Amarnath Kumar Son of Shiv Lal Yadav Resident of village - Osai, P.S. - Bihiya, Distt. - Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Malti Kumari

For the Opposite Party/s : Mr.Shaheen Begum

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 registered for the offence punishable under sections 30(a) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 60 litres of mahua wine from Apache motorcycle.

Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed no offence. The alleged motorcycle is stolen to which petitioner no. 1 has purchased from Visham Ram. 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 6.6.2023.

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, Ara in connection with Jagdhispur PS Case NO. 214 of 2023.

(Sunil Kumar Panwar, J)

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