

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 43926 of 2023

Arising Out of PS. Case No.-126 Year-2023 Thana- ALOULI District- Khagaria

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1. NARAD YADAV Son of Kewal Yadav Resident of village - Alauli, ward no. 01, P.S. - Alauli, Distt. - Khagaria, Bihar
 2. Vibhuti Yadav Son of Ramsunder Yadav Resident of village - Alauli, ward no. 01, P.S. - Alauli, Distt. - Khagaria, Bihar

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Harsh Vardhan

For the Opposite Party/s : Mr. Pushpa Sinha

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.

2. The petitioners have prayed for regular bail in a case instituted for the offence under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, there has been recovery of 144 liters of illegal foreign liquor from near *Tin Muhani* Railway Pole.

4. It is submitted by learned counsel for the petitioners that petitioners have been falsely implicated in this case. They have committed no offence. He submitted that the petitioners have no concern either with the seized vehicles or with the wine



in question. The alleged liquor has been recovered from an open space near the river, which does not belongs to the petitioners. No incriminating articles have been recovered from the conscious possession of the petitioners. The Provision of Section 100 of the Cr.P.C. has not followed in this case. They are languishing in judicial custody since 25.03.2023.

5. The application for bail is opposed by learned APP for the State.

6. 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 Court below in connection with Alouli P.S. Case No. 126 of 2023.

(Sunil Kumar Panwar, J)

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