

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48829 of 2023

Arising Out of PS. Case No.-44 Year-2023 Thana- BHAIKAVSHTHAN District- Madhubani

1. Umesh Kumar Mandal @ Umesh Mandal Son Of Ram Lakhan Mandal Resident Of Village - Maua (Maubaha), P.S. - Barsain, District - Saptari (Nepal)
2. Saburi Yadav Son Of Shaini Lal Yadav Resident Of Village - Maua (Maubaha), P.S. - Barsain, District - Saptari (Nepal)

... .. Petitioner/s

Versus

The State Of Bihar, Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Jha

For the Opposite Party/s : Mr.Md. Anbzarul Haque Sahara

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 04-08-2023 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 272 and 273 of the IPC and Section 30(a), 41 of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of eighteen litres of IMFL from the motorcycles of each of the petitioner and both the petitioners were arrested.

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. They are languishing in judicial custody since 1.4.2023.

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 Special Judge Excise Act, Jhanjharpur, Madhubani in connection with Bhairavsthan PS Case No. 44 of 2023.

(Sunil Kumar Panwar, J)

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