

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49351 of 2023

Arising Out of PS. Case No.-890 Year-2023 Thana- GOVERNMENT OFFICIAL COMP.
District- Kishanganj

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1. SURAJ KUMAR S/O ABHINAY KUMAR SINGH R/O Village- Fatehpur Pakri, Ward No. 04, P.S- Mahua, Distt.- Vaishali.
 2. Dhiraj Kumar S/O Late Ram Sagar Sahni R/O Village- Nonpur WARD No. 01, P.S- Teghra, Distt.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Prawesh Kumar

For the Opposite Party/s : Mr.Shyam Bihari Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 11-09-2023 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 214.215 litres of illicit liquor from a Biolero Pick-up van and both the petitioners were arrested on spot. Petitioner no. 1 was driving the vehicle and petitioner no. 2 was co-driver.

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 18.6.2023.

Learned APP appearing for the State has opposed the prayer of Bail.

The petitioners are directed to deposit Rs. **10,000/- (Rs. ten thousand)** each in the concerned DLSA.

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 Additional District and Sessions Judge IV, Special Judge (Excise-II) Kishanganj in connection with Madhya Nisedh P.S. Case No. 890 of 2023 giving rise to Special Case No. 928 of 2023.

The bail bonds of the petitioners shall be accepted by the learned court below on showing receipt of deposit of Rs.



10,000/- (ten thousand only) each by the petitioners in the
account of concerned DLSA.

(Sunil Kumar Panwar, J)

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