

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51461 of 2023

Arising Out of PS. Case No.-616 Year-2023 Thana- GOVERNMENT OFFICIAL COMP.
District- Banka

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1. MITHUN MAHTO S/O RAJ KUMAR MAHTO R/O VILLAGE- BIHAT (IBRAHIMPUR), PS.- BARAUNI, DIST. BEGUSARAI
 2. MITHLESH KUMAR @ MITHILESH MAHTO S/O AMARJIT MAHTO R/O VILLAGE- BIHAT (IBRAHIMPUR), PS.- BARAUNI, DIST. BEGUSARAI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dipak Kumar

For the Opposite Party/s : Mr.Rana Randhir Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 31-08-2023 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 30(a) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 364.125 litres of illicit liquor from a pickup van bearing Reg. No. BR09GC0812 and petitioners were arrested on spot.

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. They have no concern with the alleged recovery or with the vehicle in



question. The alleged vehicle belongs to Gopal Singh, who has also been made an accused in this case. Provision of Section 100 CR.P.C. has not been followed by the police officials while preparing the seizure list. Petitioners are languishing in judicial custody since 3.7.2023.

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 Additional District and Sessions Judge V, Banka in connection with Excise Banka P.S. Case No. 616 of 2023.

(Sunil Kumar Panwar, J)

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