

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 59161 of 2023

Arising Out of PS. Case No.-788 Year-2023 Thana- KAHALGAON District- Bhagalpur

1. Vikram Kumar S/O Sanjeev Yadav @ Shanjiv Kumar Resident Of Barahianandpura, Ps Udakisunganj, Dist- Madhepura
2. Pintu Kumar Son Of Bechan Yadav Resident Of Barahianandpura, Ps Udakisunganj, Dist- Madhepura

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar

For the Opposite Party/s : Mr.Shaheen Begum

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 03-10-2023 Heard learned counsel for the petitioners and learned APP for the State.

The petitioners prayed for regular bail in connection with Kahalgaon Ghogha P.S. Case No. 788 of 2023 instituted for the offence under Section 30(a) of the Bihar Prohibition and Excise Act.

As per prosecution case, the petitioners along with two cars were apprehended on the spot and from the alleged vehicles total 126 liters Indian Made Foreign Liquor and 134.250 liters from another car Indian Made Foreign Liquor was recovered.

Learned counsel appearing on behalf of the



petitioners have submitted that petitioners are innocent and have committed no offence. They have falsely been implicated in this present case. They have got no criminal antecedent. The petitioners have no concern with the alleged recovery nor vehicles in question belongs to them. No any incriminating article has been recovered from their conscious possession. It is further submitted that Section 100 of the Cr.P.C. has not been followed while preparing the seizure list. The petitioners are languishing in judicial custody since 08.07.2023.

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

The petitioners are directed to deposit a sum of Rs 10,000/- (Ten Thousand) each in the District Legal Services Authority of concerned District.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as judicial custody, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be released on bail in connection with Kahalgaon Ghogha P.S. Case No. 788 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like



amount each to the satisfaction of learned concerned Court.

The bail bonds of the petitioners shall be accepted by the learned court below on showing the receipt of deposit of Rs. 10,000/- (Rs. Ten thousand) each by the petitioners in the account of the concerned DLSA.

(Sunil Kumar Panwar, J)

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