

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59979 of 2023

Arising Out of PS. Case No.-298 Year-2023 Thana- BAHERA District- Darbhanga

1. Amarjeet Jha S/O Late Kusheshwar Jha R/O Village- Bahera, P.S- Bahera, Distt.- Darbhanga.
2. Vijay Yadav S/O Suraj Yadav R/O Village- Fatulaha, P.S- Bahera, Distt.- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Aryan Singh

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

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 14-09-2023 1. Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners have prayed for regular bail in a case registered for the offence punishable under sections 30(a) Bihar Prohibition and Excise Act.

3. As per prosecution case, the petitioners were apprehended on the spot along with a vehicle and upon search of the seized vehicle total 153 liters illicit liquor was recovered.

4. Learned counsel for the petitioners submit that the petitioners are innocent and have committed no offence. They have falsely been implicated in this case due to high handedness of the police officials. The petitioners have no concerned with



the alleged recovery nor vehicle in question belongs to them. The seizure list has not been prepared as per provision of Section 100 of the Cr.P.C.. It is further submitted that nothing has been recovered from their conscious possession. Moreover, the petitioners are languishing in judicial custody since 13.07.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioners, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be released on bail in connection with Bahera P.S. Case No. 298 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.

(Sunil Kumar Panwar, J)

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