

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62060 of 2023

Arising Out of PS. Case No.-215 Year-2023 Thana- PANCHRUKHI District- Siwan

1. Ramesh Kumar Sah Son Of Pasuram Sah @ Parashuram Sah R/O Vill - Jasauli Kharg, P.S. - Pachrukhi, Distt. - Siwan
2. Gopal Mahato Son Of Rudal Mahto R/O Vill - Jasauli Kharg, P.S. - Pachrukhi, Distt. - Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijay Prakash Singh

For the Opposite Party/s : Mr.Nitya Nand Tiwary

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 15-09-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners have prayed for regular bail in a case registered for the offence punishable under sections 30(a), 41(i) Bihar Prohibition and Excise Act.

As per prosecution case, it is a case of recovery of total 345.600 liter illegal liquor from a vehicle and the petitioners along with co-accuse persons were also apprehended.

Learned counsel for the petitioners submit that the petitioners are innocent and have committed no offence. They have falsely been implicated in this case. The petitioners have no concern with the alleged recovery and Section 100 of the



Cr.P.C., has not been followed while preparing the Seizure List. It is further submitted that nothing has been recovered from his conscious possession. The petitioners have got no criminal antecedent. Moreover, they are languishing in judicial custody since 06.08.2023.

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

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 Pachrukhi P.S. Case No. 215 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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