

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62545 of 2023

Arising Out of PS. Case No.-939 Year-2023 Thana- AHYAPUR District- Muzaffarpur

1. Rajan Kumar S/O Bishwanath Singh R/O Village- Chhit Bhagwatipur Chandwara, P.S- Ahiyapur, Distt.- Muzaffarpur.
2. Dabloo Kumar S/O Mangal Paswan R/O Village- Jagarnathpur, P.S- Kudhani, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anish Kumar

For the Opposite Party/s : Mr.Awadhesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 22-09-2023 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 total 10567.800 litres from a godown. From the said godown one truck, Tata Pick Up van and one Mahindra Tempo was seized and three persons including the petitioner 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 no concern with the alleged recovery or



with the vehicles in question. Petitioners are poor laborer and they are engaged in godown for the purpose of loading and unloading. 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 30.7.2023.

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 Exclusive Spl. Excise Court No. 1, Muzaffarpur in connection with Ahiyapur PS Case No. 939 of 2023.

(Sunil Kumar Panwar, J)

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