

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61529 of 2023

Arising Out of PS. Case No.-166 Year-2023 Thana- BASOPATTI District- Madhubani

1. Shiv Mandal Son Of Ratan Mandal Resident Of Village Chikni Ps Sonki Op District Darbhanga
2. Vikash Kumar Sah Son Of Bhola Sah Village- Rasalpur Sahila, Ps- Sonki (OP), Dist- Darbhanga

... .. Petitioner/s

Versus

The State Of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shailendra Kumar Jha

For the Opposite Party/s : Mr.Raj Kishor Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 22-09-2023 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 272, 273, 34 of the Indian Penal Code and Section 30(a) Bihar Prohibition and Excise Act.

3. As per prosecution case, the petitioners were apprehended on the spot while they were trying to flee after leaving a Scorpio. On search, total 630 liters Nepali made liquor and other articles were 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 merely on the basis of



suspicion. The petitioners have no concern with the alleged recovery nor vehicle in question belongs to them. It is further submitted that nothing has been recovered from their conscious possession. Section 100 of the Cr.P.C. has not been followed while preparing the seizure list. The petitioners have got no criminal antecedent. Moreover, they are languishing in judicial custody since 22.07.2023.

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 Basopatti P.S. Case No. 166 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 Additional Sessions Judge-II-cum Special Judge Excise Act, Madhubani.

(Sunil Kumar Panwar, J)

Amandeep/-

U		T	
---	--	---	--

