

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64002 of 2023

Arising Out of PS. Case No.-299 Year-2023 Thana- RAJPUR District- Buxar

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1. AAKASH YADAV S/O RAMAYAN YADAV @ RAMAYAN SINGH YADAV R/O VILLAGE- DUHIYA, P.S- SOHWAR, DISTT.- GAJIPUR (UTTAR PRADESH).
 2. RAUSHAN YADAV S/O MADAN YADAV R/O VILLAGE- DUHIYA, P.S- SOHWAR, DISTT.- GAJIPUR (UTTAR PRADESH).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar Pradhan
For the Opposite Party/s : Mr.Syed Ehteshamuddin

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 11-10-2023 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners have prayed for regular bail in a case instituted for the offence under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, there has been recovery of 36 liters of illegal country-made liquor from two motorcycles.

4. It is submitted by learned counsel for the petitioners that petitioners have been falsely implicated in this case. They have committed no offence. Petitioners have apprehended on spot. He submitted that the petitioners have no concern either with the seized vehicles or with the wine in question. No



incriminating articles have been recovered from the conscious possession of these petitioners. The provision of Section 100 of the Cr.P.C. has not been followed in this case. They are languishing in judicial custody since 11.08.2023.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, 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 Spl. Judge, Excise Court No. 1, Buxar in connection with Rajpur P.S. Case No. 299 of 2023.

(Sunil Kumar Panwar, J)

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