

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64774 of 2023

Arising Out of PS. Case No.-21 Year-2023 Thana- RAMPUR HARI District- Muzaffarpur

1. INDRAJEET KUMAR Son of Late Ram Lagan Rai R/o vill - Mothha (Mothaha), Fakirana, P.S. - Rampur Hari, Distt. - Muzaffarpur
2. Manoj Kumar Son of Late Ramlagan Rai R/o vill - Mothha (Mothaha), Fakirana, P.S. - Rampur Hari, Distt. - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nitu Kumari

For the Opposite Party/s : Mr.Nirmal Kumar Sinha

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 registered for the offence punishable u/s 414, 420, 467, 468, 471, 120B of the IPC and Sections 30(a) 32(ii), 36, 41(i)(ii) of the Bihar Prohibition and Excise Act.

3. As per FIR, prosecution case relates to recovery of 681.300 liters foreign made liquor from a pickup van and the petitioners and co-accused persons were also apprehended on the spot.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this



present case. The petitioner has no concern with the alleged recovery and nor they were owner or driver of the alleged vehicle. No any incriminating article has been recovered from conscious possession of the petitioners. It is further submitted that 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 22.08.2023.

5. Learned APP appearing for the State has vehemently opposed the prayer of Bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as judicial custody, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be released on bail in connection with Rampur Hari P.S. Case No. 21 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 Exclusive Special Judge Excise Court-II, Muzaffarpur.

(Sunil Kumar Panwar, J)

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