

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67487 of 2023

Arising Out of PS. Case No.-254 Year-2023 Thana- SHRIKRISHNAPURI District- Patna

Ratan Yadav Son Of Late Dwarika Prasad Resident Of Village- Kusa, Ps-
Narhar, Distt- Nawadah

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 68739 of 2023

Arising Out of PS. Case No.-254 Year-2023 Thana- SHRIKRISHNAPURI District- Patna

Aayub Khan @ Ayub Khan Son Of Md Bablu Khan Vill-Pothi Colony Sonaili
@ Sounali @ Sonhali Ps-Kadwa Dist-Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 67487 of 2023)
For the Petitioner/s : Mr.Adil Abbas
For the Opposite Party/s : Mr.Pawan Kumar Chaurasia
(In CRIMINAL MISCELLANEOUS No. 68739 of 2023)
For the Petitioner/s : Mr.Arvind Kumar
For the Opposite Party/s : Mr.Akbar Ali

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 31-10-2023 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 21.660 liters of illegal liquor from the house of the petitioners.

4. It is submitted by learned counsel for the petitioners that petitioners have been falsely implicated in this case. They have committed no offence. He submitted that the petitioners have no concern with the wine in question. On the basis of suspicion, petitioners have been implicated in this case. 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, while preparing the seizure list. They are languishing in judicial custody for about five months.

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 Special Judge, Excise Court, Patna in connection with Srikrishnapuri P.S. Case No. 254 of 2023.

(Sunil Kumar Panwar, J)

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