

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76243 of 2023

Arising Out of PS. Case No.-586 Year-2023 Thana- BIHPUR District- Bhagalpur

-
1. Kanhaiya Kumar S/O Ramdeo Rai R/O Kharidih, P.S- Matihani, Distt.- Begusarai.
 2. Md. Suleman S/O Late Md. Rasid R/O Kharidih, P.S- Matihani, Distt.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajive Ranjan Singh

For the Opposite Party/s : Mr.Bishweshwar Ram

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 30-11-2023 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners have prayed for bail in a case registered for the offence punishable under section 30(a) of the Bihar Prohibition and Excise (Amendment) Act.

3. Prosecution case relates to recovery of total 118.32 liters foreign liquor was recovered from Dickky of a Swift Dezire Car and petitioners were apprehended on the spot while one accused managed to escape.

4. Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed no offence. They have been falsely implicated in this case. They have no concern with the alleged recovery of liquor



or with the vehicle in question. No any incriminating article has been recovered from their conscious possession. Provision of Section 100 Cr.P.C. has not been followed by the police personnel while preparing the seizure list. Petitioners are languishing in judicial custody since 22.09.2023.

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

6. 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 Additional District and Sessions Judge-XI, Exclusive Special Excise Judge-I, Bhagalpur in connection with Bihpur Jhandapur P.S. Case No. 586 of 2023.

(Sunil Kumar Panwar, J)

lata/-

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

