

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72111 of 2023

Arising Out of PS. Case No.-105 Year-2023 Thana- DHANKUND District- Banka

1. Dilkhush Kumar Son Of Prakash Yadav Resident Of Village- Hariwaha, Ps -Bharrahi, Distt- Madhepura
2. Shankar Kumar Son Of Kari Sah Resident Of Village- Chakani Fulkaha, Ps- Gamhariya, Distt- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar

For the Opposite Party/s : Mr. Mukesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 08-11-2023 Heard learned counsel for the petitioners and learned
APP for the State.

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

Prosecution case relates to recovery of 191.65 litres illicit liquor from a car which was without registration number.

Both the petitioners were arrested on spot.

Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed no offence. They have got no criminal antecedent. Provision of Section 100 CR.P.C. has not been followed by the police



officials while preparing the seizure list. Petitioners are languishing in judicial custody since 8.09.2023.

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

Petitioners are directed to deposit Rs. **5,000/- (Rs. Five thousand)** each in the concerned DLSA.

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-II, Banka in connection with Spl. Excise No. 490 of 2023 arising out of Dhankund PS Case No. 105 of 023.

The bail bonds of the petitioners shall be accepted by the learned court below on showing separate receipts of deposit of Rs. **5,000/- (Five thousand only)** each by the petitioners in the account of concerned DLSA.

(Sunil Kumar Panwar, J)

sushma/-

U			
---	--	--	--

