

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.75114 of 2022**

Arising Out of PS. Case No.-742 Year-2022 Thana- BARHARA District- Bhojpur

1. Sanjit Kumar @ Chotak S/O Vinod Singh R/O Ramsagar, P.S- Barahara, District- Bhojpur
2. Md. Sarfaraz S/O Md. Nisar R/O Ramsagar, P.S- Barahara, District- Bhojpur

... .. Petitioner/s

Versus

The State Of Bihar Patna

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Amarendra Kumar

For the Opposite Party/s : Mr.Abhay Kumar

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

3      20-04-2023                      Heard learned counsel for the petitioners and  
learned APP for the State.

The petitioner prayed for regular bail in connection with Barahara P.S. Case no. 742 of 2022 instituted for the offence under Section 30(a) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of total 100 liter country made liquor which was recovered from a plastic bag, loaded on a motorcycle bearing Reg. No. BR03AC-2075, after that seizure list was prepared and this case has been lodged.

Learned counsel appearing on behalf of the



petitioners have submitted that petitioners are innocent and have committed no offence. They have falsely been implicated in this present case. Petitioners have no concern with the alleged recovery nor vehicle in question belongs to them. No any incriminating article has been recovered from their conscious possession. They have got no criminal antecedent. It is further submitted that seizure list has not been prepared as per Section 100 of the Cr.P.C., the petitioners are languishing in judicial custody since 26.10.2022.

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

The petitioners are directed to deposit a sum of Rs 5,000/- (Five Thousand) each in the District Legal Services Authority of concerned District.

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 Barahara P.S. Case No. 742 of 2022 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 Excise Court No-1, Bhojpur at Ara.

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

**(Sunil Kumar Panwar, J)**

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