

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77010 of 2023

Arising Out of PS. Case No.-693 Year-2023 Thana- DARBHANGA SADAR District-
Darbhanga

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1. Phool Babu Yadav @ Fulbabu Yadav S/O Shiv Shankar Yadav Village-
Sihaul, Ps. Biraul, Dist. Darbhanga
 2. Suchit Yadav S/O Shiv Narayan Yadav Village- Sihaul, Ps. Biraul, Dist.
Darbhanga

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nilendu Kumar Choudhary

For the Opposite Party/s : Mr.Akhileshwar Dayal

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 04-12-2023 Heard learned counsel for the petitioners and

learned APP for the State.

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

Prosecution case relates to recovery of 129.60
litres of IMFL from Zylo car of which petitioner no.1 was
driver. 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. Petitioners have no concern with the alleged recovery. The alleged vehicle is not registered in the name of any of the petitioners. 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 5.10.2023.

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

Petitioner no. 1 is directed to deposit Rs. **10,000/- (Rs. ten thousand)** 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) with two sureties of the like amount each to the satisfaction of the learned Exclusive Spl. Judge-I (Excise Act), Darbhanga in connection with Sadar (Sonki O.P.) P.S. Case No. 693 of 2023.

The bail bonds of the petitioners shall be accepted by the learned court below on showing receipt of deposit of



Rs. 10,000/- (ten thousand only) by the petitioner no. 1 in
the account of concerned DLSA.

(Sunil Kumar Panwar, J)

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