

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.79785 of 2023**

Arising Out of PS. Case No.-656 Year-2023 Thana- Excise P.S. District- Kaimur (Bhabua)

1. Mandas Yadav S/O Ashok Kumar Yadav R/O Village- Jagdishpur, P.S- Buxar (M), Distt.- Buxar.
2. Santosh Kumar S/O Bachchalal Chauhan R/O Village- Nadawa, P.S- Buxar(M), Distt.- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Arun Kumar Gupta

For the Opposite Party/s : Mr.Pranav Kumar

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

2      11-12-2023                      Heard learned counsel for the petitioners and learned  
APP for the State.

The petitioners have filed the instant application for grant of regular bail in connection with Excise Thana Kaimur (Bhabhua) P.S. Case No. 656 of 2023 registered under sections 30(a) and 32(3) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 138 liters of country made liquor from the dickey of a car and the petitioners were arrested by the police on spot.

Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. They have falsely been implicated in this case. It is further submitted



that nothing incriminating has been recovered from the conscious possession of the petitioners and they have no concern with the seized illicit liquor. There is no independent witness of the seizure list rather they are police personnel. Moreover, they are languishing in judicial custody since 29.09.2023.

The application for bail is opposed by learned APP for the State and submitted that the petitioner has been arrested on spot with the said vehicle by the police where the recovery has been made.

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

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as the custody of the petitioner, the Court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail in connection with Excise Thana Kaimur (Bhabhua) P.S. Case No. 656 of 2023 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, Excise II, Kaimur at Bhabua.



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

(Sunil Kumar Panwar, J)

Shubham/-

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