

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81192 of 2023

Arising Out of PS. Case No.-315 Year-2023 Thana- MAIRWAN District- Siwan

1. SURESH KUMAR Son of Late Santo Sahani R/o vill - Shivajee Nagar, P.S. - Town Darbhanga, Distt. - Darbhanga
2. Sanjay Kumar Son of Late Raju Sah R/o vill - Masharakh Bazar, P.S. - Town Darbhanga, Distt. - Darbhanga

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Prakash Dwivedi

For the Opposite Party/s : Mr. Khurshid Anwar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 15-12-2023 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 sections 30(a) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 182.100 litres of IMFL from “*Jugad Gadi*” and 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. They have no concern with the alleged recovery or with the said Jugad Gaadi.



Provision of Section 100 CR.P.C. has not been followed by the police officials while preparing the seizure list. Both the petitioners are languishing in judicial custody since 10.10.2023.

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

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 Exclusive Special Excise Judge No. 1, Siwan in connection with Mairwa P.S. Case No. 315 of 2023.

(Sunil Kumar Panwar, J)

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