

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82827 of 2023

Arising Out of PS. Case No.-454 Year-2023 Thana- JAGDISHPUR District- Bhagalpur

1. Rambadan Singh @ Rambadan Kumar Son of Late Satyanarayan Singh Resident of Village - Jawaharpur, Police Station - Ujiarpur, District- Samastipur.
2. Manish Kumar Das @ Manish Kumar Son of China Das Resident of Village - Rampur jalalpur, Police Station- Dalsinghsarai, District- Samastipur.
3. Eatwari Sahni Son of Mahesh Sahni Resident of Village - Rampur Jalalpur, Police Station- Dalsinghsarai, District- Samastipur.
4. Tinu Kumar Son of Ramashish Mahto Resident of Village - Mahmadpur Sakra, Police Station- Bhibhutipur, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anant Kumar Mishra, Adv.
For the Opposite Party/s : Mr. Sanjay Kr. Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 20-12-2023 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.

As per allegation in the FIR, during course of vehicle checking one four wheeler car was intercepted and on search, 14.04 litres of IMFL was recovered. It is further alleged that petitioner no. 1 was driving the said vehicle and petitioner nos. 2, 3 and 4 were sitting behind and all 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. The alleged vehicle belongs to petitioner no. 1. Provision of Section 100 CR.P.C. has not been followed by the police officials while preparing the seizure list. They are languishing in judicial custody since 12.10.2023.

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 Jude-1, Bhagalpur in connection with Jagdishpur (Bypass) P.S. Case No. 454 of 2023.

(Sunil Kumar Panwar, J)

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