

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5998 of 2024

Arising Out of PS. Case No.-637 Year-2023 Thana- SIWAN MUFFASIL District- Siwan

1. Shahzad Alam @ Mantu @ Shahzad Ahmad Son of Taslim Miyan Resident of Village-Bisunpura, P.S.-Barauli, District-Gopalganj
2. Nikhil Kumar Son of Anil Gupta Resident of Village-Chhapiya Buzurg, P.S.-Hussainganj, District-Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Pankaj Kumar Singh, Advocate
For the State	:	Mr. Yogendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 12-02-2024 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Siwan Muffasil P.S. Case No. 637 of 2023 instituted for the offence under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, 449.28 liters of foreign liquor has been recovered from one Eco Sport Car bearing Reg. No. DL-10CF-3555.

4. It has been submitted on behalf of the petitioners that the petitioners are in custody since 29-11-2023. Petitioners are stated to be man of clean antecedent.



5. It has been further submitted by the petitioners' counsel that petitioners have been falsely implicated in the present case. Petitioners have no concern with the alleged recovered liquors. Petitioners are neither the owner nor the passenger of the car in question. In fact, seizure list is not in accordance with law. There is no compliance of Section 100 of the Cr.P.C.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioners and clean antecedent of the petitioners, this Court is inclined to grant bail to the petitioners.

8. Let the petitioners be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Siwan Muffasil P.S. Case No. 637 of 2023.

(Rudra Prakash Mishra, J)

Raj Kishore/-

U		T	
---	--	---	--

