

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49207 of 2024

Arising Out of PS. Case No.-139 Year-2024 Thana- BAGHA District- West Champaran

1. Tunna Kumar S/o Rameshwar Choudhary R/o vill - Agastiya, P.s. - Bagaha, Distt. - West Champaran
2. Munna Kumar S/o Rameshwar Choudhary R/o vill - Agastiya, P.s. - Bagaha, Distt. - West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Milind Kumar Mishra
For the Opposite Party/s : Mr. Akshay Lal Pandit

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

3 02-09-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners have prayed for bail in a case registered for the offence punishable under sections 30(a) of the Bihar Prohibition and Excise Amendment Act.

3. As per allegation in the FIR, on getting secret information police personnel started vehicle checking and caught these two petitioners coming on Hero Splender motorcycle after chase. On search 25 litres country made liquor was recovered from their motorcycle kept in a black colour bag.

4. Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have



committed no offence. Provision of Section 100 CR.P.C. has not been followed while preparing the seizure list as both the witnesses are police officials. Both the petitioners are languishing in judicial custody since 3.5.2024.

5. Learned APP appearing for the State has opposed the prayer of Bail and submitted that both the petitioners have one criminal antecedent.

6. 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 Special Judge, Excise, Bagaha, West Champaran in connection with Bagaha P.S. Case No. 139 of 2024, subject to the condition that petitioners shall cooperate in the disposal of trial and be available as and when required by the Court.

(Nawneet Kumar Pandey, J)

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