

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52790 of 2024

Arising Out of PS. Case No.-141 Year-2024 Thana- Excise P.S. District- East Champaran

1. Vikram Kumar Son of Pahal Sahani R/O Dharfari Mollah Toli, P.s.- Dewariya, Dist.- Muzaffarpur
2. Deepak Sahani Son of Late Bhagwan Sahani R/O Vill.- Koniya, P.S.- Kesariya, Dist.- East Champaran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Subodh Kumar Barnwal
For the Opposite Party/s : Mr.Shyam Bihari Singh

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

2 05-08-2024 Heard learned counsel for the petitioners as well as learned APP for the State.

2. In this case, the petitioners are seeking regular bail in connection with Excise (Areraj) P.S. Case No. 141 of 2024, registered for the offences punishable under Sections 30(A) of Bihar Prohibition and Excise Act, 2016.

3. As per allegation, the informant, based on a secret information, along with other police officials reached at the Hawli Chaur, Dumariyaghat and saw that two persons were loading a plastic bag on the seat of of a motorcycle. On seeing police, they tried to run away but got arrested with the motorcycle. From the sack loaded on the motorcycle, total 45 litres of country made liquor was recovered.

4. Learned counsel for the petitioners has submitted that



the petitioners are the persons of clean antecedents and they are in custody since 29.05.2024. He has further submitted that the seized liquor has not been recovered from conscious possession of the petitioners.

5. Considering the nature of allegation as well as period of incarceration, let the petitioners above-named be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No. 2, East Champaran, Motihari in connection with Excise Areraj P.S. Case No. 141 of 2024, subject to the following conditions:-

(i) The petitioners shall cooperate in the disposal of trial and make themselves available as and when required by the court.

(ii) If the petitioners are found involved in future in the similar type of offence, the prosecution will have liberty to file an application before the court below for cancellation of the bail of the petitioners and the learned court below will take decision in accordance with law.

(Nawneet Kumar Pandey, J)

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