

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59615 of 2024

Arising Out of PS. Case No.-318 Year-2024 Thana- MALSALAMI District- Patna

1. Om Kumar S/O Raju Prasad R/O Kamshikoh (Kaimashikoh), Bans Bazar, P.S- Chowk, Dist.- Patna.
2. Kanchan Devi W/O Late Prakash Yadav R/O Mansurganj Musahari, P.S- Malsalami, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajeev Kumar
For the Opposite Party/s : Mr.Sucheta Yadav

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

ORAL ORDER

2 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 about trade of illicit liquor, police personal reached at the place of occurrence and apprehended these two petitioners on spot. On search, altogether 10 litres country made liquor was recovered from the possession of the petitioners.

4. Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed no offence. Petitioner no. 2 is a widow lady. 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 10.7.2024.

5. Learned APP appearing for the State has opposed the prayer of bail and submitted that petitioner no. 1 has got three criminal antecedents and petitioner no. 2 has got four criminal antecedents.

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 Exclusive Special Court of Excise, Patna City in connection with Malsalami P.S. Case No. 318 of 2024 **but the bail bond of the petitioners shall be accepted after a period of two months from today**, 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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