

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67015 of 2024

Arising Out of PS. Case No.-185 Year-2024 Thana- DURAULI District- Siwan

1. Shambhu Bin Son of Dudh Nath Bin Resident of Village - Balahu Tola Tadi, P.S. - Darauli, District - Siwan
2. Dilip Bin Son of Ram Pyar Bin Resident of Village - Balahu Tola Tadi, P.S. - Darauli, District - Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Dwivedi, Advocate

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 20-09-2024 1. Heard learned counsel for the petitioners and
learned A.P.P. for the State.

2. The petitioners seek bail in a case registered for the offences punishable under Sections 30(a) and 36 of the Bihar Prohibition and Excise Act, 2022.

3. Learned counsel for the petitioners submits that petitioners have antecedent of three cases.

4. Allegation is of recovery of 300 litres of liquor from six sacks including the sack allegedly thrown by the petitioners.

5. Learned counsel for the petitioners submits that petitioners were not arrested from the spot, as such, nothing was recovered from their conscious possession and they came to be



implicated based on the confessional statement of Gautam Kumar Sahani in police custody which does not have any evidentiary value in the eye of law and are in custody since 09.07.2024.

6. Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioners.

7. Considering the aforesaid submissions, the petitioners, above named, are directed to be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Darauli P.S. Case No. 185 of 2024.

(Satyavrat Verma, J)

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