

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66786 of 2024

Arising Out of PS. Case No.-304 Year-2024 Thana- SIRDALA District- Nawada

1. Bipin Kumar @ Bipin Kumar Yadav Son of Rambalak Yadav Resident of Village- Bara, P.S.- Rajouli, District- Nawada
2. Anup Kumar Son of Naresh Yadav Resident of Village- Bara, P.S.- Rajouli, District- Nawada

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manmohan Kumar

For the Opposite Party/s : Mr.Narsingh Tanti

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

ORAL ORDER

2 26-09-2024 Heard the learned counsel for the petitioners as well as the learned Additional Public Prosecutor for the State.

2. The petitioners are seeking regular bail in connection with Sirdalla P.S. Case No. 304 of 2024 for the offences punishable under Sections 30(a) and 41 of the Bihar Prohibition and Excise Act, 2022.

3. As per prosecution case, there has been recovery of altogether 225 liters of illicit liquor from the motorcycles of the Petitioner No.1 and Petitioner No.2 respectively. They were apprehended on spot by the police.

4. The learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been



implicated in this case. He has further submitted that nothing was recovered from the conscious possession of the petitioners. Provision of Section 100 of Cr.P.C. has not been followed in this case while preparing seizure list. Petitioners are the persons of clean antecedent. They are under custody since 13.08.2024.

5. On the other hand, learned APP for the State has opposed the prayer for bail of the petitioners.

6. Considering the above-mentioned facts and circumstances of this case as well as petitioners having clean antecedent, let the petitioners above-named be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand rupees) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court-1, Nawada in connection with Sirdalla P.S. Case No. 304 of 2024, subject to the condition that the petitioners shall cooperate in the disposal of trial and make themselves available as and when required by the court.

(Nawneet Kumar Pandey, J)

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