

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84035 of 2023

Arising Out of PS. Case No.-733 Year-2023 Thana- ARA NAWADA District- Bhojpur

1. AJAY KUMAR SON OF BHIKHARI RAM R/O CHANDI, P.S.- CHANDI, DIST.- BHOJPUR (BIHAR)
2. DHIRAJ KUMAR SON OF KAMLESH SINGH @ KAMLESH PRASAD SINGH R/O CHANDI, P.S.- CHANDI, DIST.- BHOJPUR (BIHAR)

... .. Petitioner/s

Versus

THE STATE OF BIHAR PATNA

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravindra Kumar
For the Opposite Party/s : Mr.Ajay Kumar No. 2

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 05-01-2024 Heard learned counsel for the petitioners and
learned APP for the State.

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

3. As per FIR, the petitioners were apprehended on the spot with a Swift car and upon search mobile phones were recovered at the same time search was conducted in a pick-up van and from the alleged pick-up van total 766.80 liter foreign made liquor was recovered.



4. Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed no offence. They have falsely been implicated in this present case merely on the basis of suspicion. The petitioners have no concern with the alleged recovery or with the co-accused nor from the alleged pick-up van from which liquor has been recovered. No any incriminating article has been recovered from conscious possession of the petitioners. It is further submitted that Section 100 of the Cr.P.C. has not been followed while preparing the seizure list. The petitioners have got no criminal antecedent. Moreover, they are languishing in judicial custody since 13.10.2023.

5. Learned APP appearing for the State has vehemently opposed the prayer of Bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as judicial custody, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be released on bail in connection with Ara Nawada P.S. Case No. 733 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the



satisfaction of learned Exclusive Special Excise Court-I,
Bhojpur at Ara.

(Sunil Kumar Panwar, J)

manishkumar/-

U		T	
---	--	---	--

