

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84179 of 2023

Arising Out of PS. Case No.-158 Year-2023 Thana- CHANDAN District- Banka

-
1. Sapan Kumar Son Of Akildev Singh Resident Of Village - Jagatpura, P.S. - Mathiyani, District - Begusarai
 2. Sumit Kumar Son Of Durga Singh Resident Of Village - Jathaur, P.S. - Virpur, District - Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dipak Kumar

For the Opposite Party/s : Mr.Madhuri Lata

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.

The petitioners have prayed for bail in connection with Chandan P.S. Case No. 158 of 2023 registered for the offence punishable under Section 30(a) of Bihar Prohibition and Excise (Amendment) Act.

Prosecution case relates to recovery of total 182.25 litres of foreign liquor was recovered from Auto bearing Reg. No. BR01PE-5917. Both the petitioners were arrested on spot.

Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed no offence. Petitioner no.1 is the driver of the seized vehicle and



petitioner no.2 is the passenger. They have got no criminal antecedent. Petitioners have no concern with the alleged recovery nor vehicle in question belongs to him. Seizure list has not been prepared as per provision of Section 100 of the Cr.P.C. It is further submitted that nothing incriminating article has been recovered from their conscious possession. Petitioners are languishing in judicial custody since 26.09.2023.

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

The petitioner No.1 namely, Sapan Kumar being driver of the alleged vehicle is directed to deposit a sum of **Rs 10,000/- (Ten Thousand)** in the District Legal Services Authority of concerned District.

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 Additional Additional District and Sessions Judge-II, Banka in connection with Chandan P.S. Case No.158 of 2023.

The bail bond of the petitioner No.1 namely, Sapan



Kumar shall be accepted by the learned court below on showing the receipt of deposit of **Rs. 10,000/- (Rs. Ten thousand)** by the petitioner No.1 in the account of the concerned DLSA.

(Sunil Kumar Panwar, J)

lata/-

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

