

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.84197 of 2023**

Arising Out of PS. Case No.-398 Year-2023 Thana- SIRDALA District- Nawada

1. Niku Kumar Son Of Anuj Singh R/O Village- Raghunathpur, P.S.- Fatehpur, Dist.- Gaya
2. Dharmraj Kumar Son Of Karu Yadav R/O Village- Sabalchak, P.S.- Tankuppa, Dist.- Gaya
3. Upendra Saw Son Of Kailash Saw R/O Village- Regauni, P.S.- Fatehpur, Dist.- Gaya
4. Anil Kumar Son Of Karu Yadav R/O Village- Regauni, P.S.- Fatehpur, Dist.- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Birendra Kumar  
For the Opposite Party/s : Mr.Rana Randhir Singh

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

2      08-01-2024                      Heard learned counsel for the petitioners and learned  
APP for the State.

The petitioners have prayed for bail in connection with  
Sirdalla (Meskaur) P.S. Case No. 398 of 2023 registered for the  
offence punishable under Section 30(a) of Bihar Prohibition and  
Excise Act.

Prosecution case relates to recovery of total 670 litres  
of country made liquor from five motorcycles and all the four  
petitioners were arrested on spot.

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 case. They have



got no criminal antecedent. Petitioners have no concern with the alleged recovery. Provision of Section 100 Cr.P.C. has not been followed by the police personnel while preparing the seizure list. Petitioners are languishing in judicial custody since 20.10.2023.

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

All the four petitioners are directed to deposit Rs. **5,000/- (Rs. Five Thousand only)** each in the concerned DLSA.

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 Excise Judge-1st, Nawada in connection with Sirdalla (Meskaur) P.S. Case No. 398 of 2023.

The bail bonds of the petitioners shall be accepted by the learned court below on showing receipt of deposit of Rs. **5,000/- (Five Thousand only)** each by the petitioners in the account of concerned DLSA.

**(Sunil Kumar Panwar, J)**

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