

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28454 of 2022

Arising Out of PS. Case No.-107 Year-2022 Thana- BEUR District- Patna

Rocky Kumar Son Of Sanjay Kumar Thakur R/O Village- Puraini, P.S.-
Giriyak, District- Nalanda, At Present Tejpratap Nagar, Virindavan Colony,
Road No.-1, C/O Ramesh Kumars Building, P.S.- Beur, District- Patna

... .. Petitioner/s

Versus

The state of bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Chandra Bhaskar,
For the Opposite Party/s : Mr. Pradeep Narain Kumar,

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 06-08-2022 Heard learned counsel for the petitioner and Mr.

Pradeep Narain Kumar, learned A.P.P. for the State, through

virtual Court proceedings.

Let the defect(s), as pointed out by the office, be
removed within a period of four weeks from today.

The petitioner seeks bail in connection with a case
registered for the offences punishable under Section 30(a), 33
and 34(iv) of Bihar Prohibition and Excise Act.

Allegation is of recovery of 572.940 litres foreign
liquor from Auto and Sumo car.

Learned counsel for the petitioner submits that the
petitioner is innocent and he has no concern with the seized
illicit liquor. It is submitted that mandatory provision of Sub-



section 2 of Section 74 and Section 82 of the Bihar Prohibition and Excise Act with respect to search and seizure have not been followed. It is also submitted that petitioner is neither owner nor driver of the said vehicle and his name transpired in this case only on the basis of the suspicion. No incriminating articles have been recovered from the possession of the petitioner. It is further submitted that the petitioner is in custody since 07.03.2022 and is a person with clean antecedent.

Learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances of this case, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/-(Ten Thousand) only each two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Beur P.S. Case No. 107 of 2022.

(Khatim Reza, J)

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