

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29678 of 2022

Arising Out of PS. Case No.-131 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Madhubani

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Krishna Kumar Son of Late Sanjay Chaupal Resident of village - Uchchaith
Durga Sthan, P.S.- Benipatti, District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravi Prakash, Advocate
For the Opposite Party/s : Ms. Rita Kumari, A.P.P

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 06-08-2022 The matter has been heard via Video Conferencing.

Heard learned counsel for the petitioner and Ms. Rita
Kumari, learned A.P.P for the State.

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

Allegation is of recovery of 27 liters of Nepali liquor
from the motorcycle bearing Registration No. BR32-3346.

Learned counsel for the petitioner submits that the
petitioner is innocent and he has no concern with the seized
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. Further, it is submitted that the petitioner is not the owner of the motorcycle and nothing has been recovered from the possession of the petitioner or from the house of the petitioner. It is also stated that the petitioner's name transpired in this case only on the basis of suspicion. It is further submitted that the petitioner is in custody since 06.03.2022 and is a person with clean antecedent.

Learned A.P.P 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 with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Saharghat G.O. Case No. 131 of 2022.

(Khatim Reza, J)

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