

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.42981 of 2021

Arising Out of PS. Case No.-30 Year-2021 Thana- AMBA District- Aurangabad

CHANDAN SINGH @ SUDAMA SON OF ASHOK SINGH R/O
VILLAGE- KAILA BIGHA WARD NO.-9, P.S.- KUTUMBA, DISTRICT-
AURANGABAD (BIHAR)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Leelawati Kumari, Advocate

For the Opposite Party/s : Ms. Anita Kumari Singh, APP.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH

ORAL ORDER

2 07-01-2022 Heard the learned counsel appearing for the petitioner and
learned A.P.P. for the State.

The petitioner seeks regular bail in connection with Amba
P.S. Case No. 30 of 2021 for the offence punishable under Section
30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

The allegation is regarding recovery of 517.50 litres of
illicit country made liquor from a Scorpio vehicle.

The learned counsel for the petitioner has submitted that
the petitioner is innocent, has been falsely implicated in the
present case, is having a clean antecedent and he is languishing
in custody since 16.03.2021. The learned counsel for the petitioner
has further referred to paragraph no. 9 of the present petition to
submit that the vehicle in question does not belong to the
petitioner. Lastly, the learned counsel for the petitioner has
submitted that the provision contained under Section 100 Cr.P.C.
has not been followed while preparing the seizure list, hence the
same stands vitiated in the eyes of law inasmuch as the seizure
list does not bear the signature of the petitioner.



Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also considering the fact that the petitioner has categorically stated in the present petition that the Scorpio vehicle does not belong to the petitioner and moreover the petitioner is having a clean antecedent, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-II-cum-Special Judge (Excise), Aurangabad in connection with Amba P.S. Case No. 30 of 2021.

(Mohit Kumar Shah, J)

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