

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 54133 of 2022

Arising Out of PS. Case No.-351 Year-2022 Thana- RAJAON District- Banka

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Pappu Kumar S/O Chandeshwari Prasad Yadav R/O Village - Ward No. 05,
Jiwachhpur Bazar Tola, Police Station -GAMAHRIYA, District- Madhepura
... .. Petitioner/s

Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjay Kumar Singh, Adv.
For the Opposite Party/s : Mr. Md. Anbzarul Haque Sahara, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 26-11-2022 Counsel for petitioner submits that due to

inadvertence in bail application of Excise Case PS case has been

typed.

Permission granted to correct the defect in course of

the day.

Let the defect(s), if any, be removed within two weeks

from today.

Heard learned counsel for the petitioner and learned

A.P.P. for the State through virtual mode.

The petitioner seeks regular bail in connection with

Rajoun (Nabada O.P.) P.S. Case No. 351 of 2022 lodged under

Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

As per the prosecution case, total recovery of 108 liter

wine has been made, which is subject matter of the present case.

Learned counsel for the petitioner submits that

petitioner is innocent and has committed no offence. He further

submits that petitioner is in custody since 22.07.2022 having

clean antecedent and charge sheet has already been filed in this

case. He also submits that petitioner is driver of the car seized car from which the said illicit foreign made liquor was recovered. Learned counsel submits that there is gross violation of Section 100 of Cr.P.C. in preparation of seizure list. He submits that other co-accused have been granted bail in this case vide order dated 21.10.2022 passed in Cr. Misc. No. 53498 of 2022.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge Special Judge, II, Banka in connection with Rajoun (Nabada O.P.) P.S. Case No. 351 of 2022, subject to the conditions as laid down under Section 437(3) of Cr.P.C.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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