

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4090 of 2023

Arising Out of PS. Case No.-493 Year-2022 Thana- RAJAON District- Banka

PRAYAG KUMAR S/o Late Gulab Mehta R/o Village- Mokama, P.S.-
Basanahi, Distt- Saharsa (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anant Kumar 1

For the Opposite Party/s : Mr.Md. Iftekhar Mahmood

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 01-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in a case registered
for the offence punishable under section 30(a) of the Bihar
Prohibition and Excise Act.

Prosecution case relates to recovery of 101.25 litres
of IMFL from a car and two persons, including the petitioner
who were inside the car were apprehended on spot.

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no
offence. He has no concern with the alleged recovery or with the
vehicle in question, he was simply a driver of the said car.
Owner of the said car is also named in the FIR. Provision of
Section 100 CR.P.C. has not been followed by the police



officials while preparing the seizure list. Petitioner is languishing in judicial custody since 23.10.2022.

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

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge II- Banka in connection with Rajoun (Nawada O.P. P.S. Case No. 493 of 2022.

(Sunil Kumar Panwar, J)

sushma/-

U			
---	--	--	--

