

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7099 of 2023

Arising Out of PS. Case No.-262 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Sitamarhi

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Guddu Mansoori Son Of Jan Mansoori Resident Of Village- Chakmahila,
Ward No.-5, P.S.- Sitamarhi Town, District- Sitamarhi

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dinesh Jha
For the Opposite Party/s : Mr.Akbar Ali

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 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 sections

30(a), 32(3) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 45 litres

of Nepali Saufi liquor from a motorcycle. The petitioner

is driver of the alleged motorcycle.

It is submitted by learned counsel for the

petitioner that petitioner is innocent and he has falsely

been implicated in the present case. Nothing



incriminating has been recovered from the conscious possession of the petitioner. He has no concern with the alleged recovery. There is no compliance of Section 100 of the Cr.P.C. Moreover, the Petitioner is languishing in judicial custody since 31.08.2022. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

In contra, learned A.P.P. appearing on behalf of State has vehemently opposed the prayer of Bail and submitted that huge quantity of Nepali liquor has been recovered from the motorcycle which was driven by the petitioner.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioners on bail. The above named petitioners are 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 Exclusive Special Excise



Court II, Sitamarhi in connection with Excise P.S. Case
No. 262 of 2022.

The petitioner is directed to deposit a sum of
Rs. 5,000/-(Rupees Five Thousands) in the concerned
District Legal Services Authority.

The bail bond of the petitioner shall be
accepted by the learned Court below on showing receipt
of deposit of Rs. 5,000/-(Rupees Five Thousands) in
District Legal Services Authority of concerned District.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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