

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6122 of 2023

Arising Out of PS. Case No.-135 Year-2021 Thana- LALGANJ District- Vaishali

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Manoj Rai Son Of Rajesh Rai R/V- Salempur, P.S- Lalganj, Dist- Vaishali

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mrityunjay Kumar

For the Opposite Party/s : Mr.Jharkhandi Upadhyay

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 10-04-2023 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, 33/34 of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 25.200 litres Indian Made Foreign Liquor from the *Sagwan* orchard of the petitioner. Petitioner is alleged to be fled away from the place of seizure.

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 place of occurrence. There is no independent witness of the alleged seizure. The name of



petitioner sprang up in this case on secret information. Neither the petitioner was arrested on spot nor any incriminating article has been recovered from his conscious possession. He is languishing in judicial custody since 09.12.2022.

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 Exclusive Special Excise Court No. I-cum-Additional District & Sessions Judge, Vaishali, Hajipur in connection with Lalganj P.S. Case No. 135 of 2021.

(Sunil Kumar Panwar, J)

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