

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8974 of 2023

Arising Out of PS. Case No.-328 Year-2022 Thana- CHANDI District- Bhojpur

Umesh Ray S/O Yogendra Ray @ Yogendra Yadav Resident Of Village-
Bhadwar, P.S.- Chandi, District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prabhat Kumar Singh

For the Opposite Party/s : Mr.Arvind Kumar Pandey (App.84)

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 17-04-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under section 30(a) of the Bihar Prohibition and Excise Act, 2018.

It is a case of recovery of total 51 liters Mahua liquor from a Banshwari (Bamboo clamp) after that this case has been lodged against the petitioner.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case merely on the basis of suspicion. Petitioner is not apprehended on the spot nor any incriminating article has been recovered from his conscious



possession. It is further submitted that seizure list has not been prepared as per Section 100 of the Cr.P.C. Petitioner has got no criminal antecedent moreover, he is languishing in judicial custody since 26.12.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as judicial custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Chandi P.S. Case No. 328 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No-1st Bhojpur at Ara.

(Sunil Kumar Panwar, J)

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