

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7134 of 2023

Arising Out of PS. Case No.-256 Year-2022 Thana- LAKHNAUR District- Madhubani

Durganand Kumar Son Of Ghuran Yadav R/O Village- Nirmala, P.S.-
Lakhnour, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Prakash

For the Opposite Party/s : Mr. Ashok Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 11-04-2023 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 sections 272, 273 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of total 634.5 liters illicit foreign liquor from open field situated in western side from the house of the petitioner which was covered with straw.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this present case. A statement has been made in para-3 of the petition that the



petitioner has got no criminal antecedent. Petitioner has no concern with the alleged recovery of illicit liquor or with the place of occurrence. No any incriminating article has been recovered from conscious possession of the petitioner. It is further submitted that the seizure list witness are police officials not a single independent witness which violates section 100 of Cr.P.C. The petitioner is languishing in judicial custody since 29.11.2022.

Learned APP appearing for the State has vehemently 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 released on bail in connection with Lakhnour P.S. Case No. 256 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 Court of Special Judge, Excise Act, madhubani, Jhanyharpur.

(Sunil Kumar Panwar, J)

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