

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9685 of 2023

Arising Out of PS. Case No.-182 Year-2022 Thana- TANKUPPA District- Gaya

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PANKAJ KUMAR S/O KAMLESH YADAV R/v- Bardiha, P.S.- Tankuppa,
District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajit Kumar Sinha
For the Opposite Party/s : Mr.Ajay Kumar No. 2

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 03-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 30(a) and 37 of the
Bihar Prohibition and Excise (Amendment) Act.

As per prosecution case, there has been recovery of
total 8 liters of illegal country-made liquor from a motorcycle's
dickey, which was being driven by the petitioner.

It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has
committed no offence. He submitted that the petitioner has no
concern with the seized liquor in question. The provision of
Section 100 of the Cr.P.C. has not followed in this case, while
preparing the seizure list. He is languishing in judicial custody



since 24.12.2022.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as the meager quantity of the wine, 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-cum-Exclusive Special Excise Judge, Court No. 2, Gaya in connection with Tankuppa P.S. Case No. 182 of 2022.

(Sunil Kumar Panwar, J)

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