

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8468 of 2023

Arising Out of PS. Case No.-2 Year-2023 Thana- GURUA District- Gaya

PREMCHANDRA KUMAR Son of Sri Kapil Prasad Resident of Village-
Sagdiha, P.O.- Sagdiha, P.S.- Raushanganj, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Rajpati, Adv.

For the Opposite Party/s : Mr. Manoj Kumar, APP.

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 26-04-2023 1. Heard learned counsel for the petitioner and the
learned APP for the State.

2. Petitioner seeks regular bail in connection with
Gurua P.S. Case No. 02 of 2023 dated 03.01.2023 registered for
the offence punishable under Section 30(a) of Bihar Prohibition
and Excise Act.

3. The main submissions advanced by petitioner's
counsel are that the instant matter relates to the recovery of total
120 litres of country-made liquor (*Mahua*) from the alleged
motorcycle but the petitioner had no concern with the alleged
liquor as the alleged recovery was made from a motorcycle
standing near the road and the said motorcycle does not belong
to the petitioner and the petitioner has been implicated in this
case by the police party merely on the basis of suspicion and



misconception. It is further submitted that the seizure list was prepared without signature of the witnesses which is a clear violation of the provisions of Section 100 of Cr.P.C. Further submissions are that the petitioner has fair and clean antecedent and has been languishing in jail since 03.01.2023 and he is a young person.

4. Learned APP appearing for the State has opposed the bail prayer.

5. In view of the above submissions made by learned counsel for the petitioner as well as petitioner's fair and clean antecedent and investigation has been completed against the petitioner, in my opinion it is a fit case for bail to the petitioner. Accordingly, let the petitioner named-above be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned in connection with Gurua P.S. Case No. 02 of 2023.

(Shailendra Singh, J)

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