

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9273 of 2023

Arising Out of PS. Case No.-73 Year-2022 Thana- GURUA District- Gaya

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PINTU KUMAR S/O RAMANUJ MEHTA Resident of Village- Jaipur, P.S.-
Gurua, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sudhir Kumar Sinha

For the Opposite Party/s : Mr. Khurshid Anwar

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 02-05-2023 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 30(a)(b) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of total 295 liters country made mahua liquor from the garden of the petitioner and he is alleged to be fled away from the place of occurrence.

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. Petitioner has no concern with the alleged recovery of illicit liquor or with the place of occurrence. Neither the petitioner was arrested on spot nor any incriminating article has been



recovered from his conscious possession rather his name has been disclosed by local Chaukidar. It is further submitted that the seizure list witness are police official not a single independent witness which violates section 100 of Cr.P.C. The petitioner is languishing in judicial custody since 19.12.2022.

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 Gurua P.S. Case No. 73 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.2, Gaya.

(Sunil Kumar Panwar, J)

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