

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9652 of 2023

Arising Out of PS. Case No.-290 Year-2022 Thana- KHAJEKALA District- Patna

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GOPAL RAY @ GOYALI RAY S/O Late Baijnath Ray R/O Mogalpur, near
Charka School, P.S- Khajekala, District- Patna

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Harish Kumar

For the Opposite Party/s : Mr. Kumar Ranjit Ranjan

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 18-04-2023 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.

As per FIR, prosecution case relates to recovery of total 121.20 liters of illicit liquor from the house of the petitioner.

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 and nothing incriminating article has been recovered from his conscious possession. It is further submitted that the seizure



list witness are police official not a single independent witness, which violates the provision of Cr.P.C. Moreover, the petitioner is languishing in judicial custody since 15.9.2022.

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 as well as period of custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Khajekala P.S. Case No. 290 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 Judge, Excise, Patna City, Dist- Patna.

(Sunil Kumar Panwar, J)

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