

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9668 of 2023

Arising Out of PS. Case No.-591 Year-2022 Thana- SASARAM MUFFSIL District- Rohtas

PAWAN KUMAR Son of Ramayan Ram Resident of Village - Barari Musai
Tola, P.S.- Akorhi Gola, District - Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajani Kant Singh

For the Opposite Party/s : Mr.Sucheta Yadav

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 Section 414 of the IPC and
Section 30(a) of the Bihar Prohibition and Excise (Amendment)
Act.

As per prosecution case, there has been recovery of 70
liters of illegal country-made liquor from a motorcycle.

It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has
committed no offence. Petitioner has no concern either with the
seized vehicle or with the liquor. No incriminating article has
recovered from the conscious possession of the petitioner. He
submitted that said vehicle was being driven by co-accused



namely, Raj Kumar. The provision of Section 100 of Cr.P.C. has not followed in this case, while preparing the seizure list. Petitioner has got no criminal antecedent as stated in para-3 of the bail petition. He is languishing in judicial custody since 02.12.2022.

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, 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 Exclusive Special Excise Court No. 2-cum-Additional District and Sessions Judge, Rohtas at Sasaram in connection with Sasaram Muffasil P.S. Case No. 591 of 2022.

(Sunil Kumar Panwar, J)

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