

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11170 of 2023

Arising Out of PS. Case No.-292 Year-2018 Thana- SAHPUR District- Bhojpur

Rohit Ray @ Rohit Kumar S/O Kameshwar Ray @ Nageshwar Ray R/V-
Jawahi Jagdishpur, P.S.- Brahmpur, District- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shailendra Kumar Choubey

For the Opposite Party/s : Mr.Mritunjay Kumar Nirala

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 21-04-2023 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 Bihar Prohibition and Excise Amendment Act.

Prosecution case relates to recovery of 1800 liter illicit liquor and passion pro motorcycle which were recovered from an orchad.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case merely on the basis of confessional statement of co-accused persons. Petitioner has no concern with the alleged recovery nor from the place of occurrence. Nothing has been recovered from his conscious



possession. It is further submitted that seizure list has not been prepared as per provision of u/s 100 of the Cr.P.C.. Similarly situated co-accused has already been granted bail by a coordinate Bench of this Court vide Cr. Misc. No. 72465 of 2018. The petitioner has got no criminal antecedent moreover, he is languishing in judicial custody since 03.01.2023.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as judicial custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Shahpur P.S. Case No. 292 of 2018 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-II, Excise Bhojpur, Ara.

(Sunil Kumar Panwar, J)

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