

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12342 of 2023**

Arising Out of PS. Case No.-783 Year-2022 Thana- FATEHPUR District- Gaya

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Ankush Kumar S/O Shivbachan Prasad Yadav Resident Of Village- Purni
Bathan, P.S.- Fatehpur, District- Gaya.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Nikhil Singh
For the Opposite Party/s : Mr.Nagendra Prasad

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 24-04-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner prayed for regular bail in
connection with Fatehpur. P.S. Case no. 783 of 2022
instituted for the offence under Section 30(a) of the Bihar
Prohibition and Excise Act.

Prosecution case relates to recovery of total 30
liter country made liquor along with a motorcycle and a
realme company mobile which were recovered from 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 nor vehicle in question belongs to him. He has got no criminal antecedent. It is further submitted that seizure list has not been prepared as per provision of u/s 100 of the Cr.P.C. The petitioner is languishing in judicial custody since 17.12.2022.

Learned APP appearing for the State has vehemently opposed the prayer of Bail.

The petitioner is directed to deposit a sum of Rs 10,000/- (Ten Thousand) in the District Legal Services Authority of concerned District.

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 Fatehpur P.S. Case No. 783 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, Gaya.

The bail bonds of the petitioner shall be accepted



by the learned court below on showing the receipt of deposit of Rs. 10,000/- (Rs. Ten thousand) by the petitioner in the account of the concerned DLSA.

(Sunil Kumar Panwar, J)

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