

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13542 of 2023

Arising Out of PS. Case No.-42 Year-2023 Thana- PATNA CITY CHOWK District- Patna

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Hakim Ray S/O Vinda Ray R/V- Kachchi Ghat, P.S.- Chwok, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rudra Deo

For the Opposite Party/s : Mr.Ramchandra Sahni

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 25-04-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner prayed for regular bail in
connection with Chowk P.S. Case no. 42 of 2023 instituted
for the offence under Sections 414 of IPC and Section 30(a)
of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of total 100
liters country made mahua liquor containing in plastic bag
which was recovered from a motorcycle bearing Reg. No.
BR-01BC-9989.

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 merely on the basis of suspicion. Petitioner has no concern with the alleged recovery or with the seized motorcycle. No any incriminating article 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. The petitioner is languishing in judicial custody since 9.01.2023.

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

The petitioner is directed to deposit a sum of Rs 5,000/- (Five 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 Chowk P.S. Case No. 42 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge Excise, Patna City,



Patna.

The bail bonds of the petitioner shall be accepted by the learned court below on showing the receipt of deposit of Rs. 5,000/- (Rs. Five thousand) by the petitioner in the account of the concerned DLSA.

(Sunil Kumar Panwar, J)

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