

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12520 of 2023

Arising Out of PS. Case No.-37 Year-2022 Thana- PANJWARA District- Banka

Niraj Kumar Pandit S/O Mahadev Pandit R/O- Lattadikwani, P.S.- Poraiyahat,
District- Godda (Jharkhand)

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Praveen Kumar

For the Opposite Party/s : Mr.Ashok Kumar Singh

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 has prayed for regular bail in a case registered for the offence punishable under sections 30(a), 32(2) of Bihar Prohibition and Excise Act.

The prosecution case relates to recovery of total 83.625 liters illicit liquor which was recovered from a Bolero car. It is further alleged that co-accused persons were apprehended and upon their confession name of this petitioner came into light and from his house, which is situated in Jharkhand State, 647.980 liter IMFL has been recovered.

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. The alleged recovery has been made in Jharkhand State where Bihar Excise Act is not applicable. 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 01.06.2022.

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 Panjwara P.S. Case No. 37 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 Additional District and Sessions Judge-V, Banka.

(Sunil Kumar Panwar, J)

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