

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14499 of 2023

Arising Out of PS. Case No.-331 Year-2022 Thana- SULTANGANJ District- Patna

SUMIT KUMAR Son of Late Vinod Prasad R/V- Ranighat, P.S- Sultanganj,
dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Kumar No2

For the Opposite Party/s : Mr.Bharat Lal

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 05-05-2023 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 30(a) of the Bihar
Prohibition and Excise Act.

As per prosecution case, there has been recovery of
2.60 liters of illegal country-made liquor from the bag of the
petitioner.

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 not apprehended on spot.
He submitted that the petitioner has no concern with the seized
liquor. No incriminating article has recovered from the
conscious possession of the petitioner. The provision of Section



100 of the Cr.P.C. has not followed in this case, while preparing the seizure list. He is languishing in judicial custody since 30.9.2022.

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 as well as meager quantity of the liquor, 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 Judge- Excise, Patna City, Patna in connection with Sultanganj P.S. Case No. 331 of 2022.

(Sunil Kumar Panwar, J)

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