

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20912 of 2023**

Arising Out of PS. Case No.-32 Year-2023 Thana- VISHNUPAD District- Gaya

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VIJAY KUMAR @ BIJAY KUMAR @ DHARMENDRA @
DHARMENDRA PRASAD SON OF LATE ISHWAR PRASAD RESIDENT
OF VILLAGE - KADHAUNA, P.S. - WAZIRGANJ, DISTT. - GAYA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Gajendra Kumar Singh

For the Opposite Party/s : Mr.Murli Dhar

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**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

2 01-05-2023 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
5.250 liters of illegal foreign kept in a plastic bag, near Chand
Choura.

It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has
committed no offence. He submitted that the petitioner has no
concern with the seized liquor. No incriminating article has been
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 30.01.2023.

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, 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 Excise Court No. 1, Gaya in connection with Vishnupad P.S. Case No. 32 of 2023.

(Sunil Kumar Panwar, J)

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