

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18694 of 2023

Arising Out of PS. Case No.-15 Year-2023 Thana- SAHEBPUR KAMAL District- Begusarai

SAMIR KHAN S/O- SAIDUL KHAN Village- Kathari ward no-2, Panchayat
Kathadih Ps- Jainagar Muffasil Dist- Dodarma Jharkhand

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam

For the Opposite Party/s : Mr.Ramesh Chandra

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 17-05-2023 Heard learned counsel for the petitioner and
learned APP for the State.

The petitioner prayed for regular bail in connection with Sahebpur Kamal P.S. Case no. 15 of 2023 instituted for the offence under Sections 120B, 414, 467, 468, 471 of the Indian Penal Code and Sections 30(a), 32(i) (ii), 41(ii)(iii) of the Bihar Prohibition and Excise Act.

As per FIR, it is alleged that the petitioner was apprehended on the spot and upon search 662.72 liters foreign made liquor from a pickup van bearing Reg. No. BR09GA-0465 was recovered.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has



committed no offence. The petitioner is the owner of the alleged pickup van due to which he has falsely been implicated in this present case. The petitioner has no concern with the alleged recovery nor any incriminating article has been recovered from his conscious possession. It is further submitted that the seizure list has not been prepared as per provision of u/s 100 of the Cr.P.C. Moreover, the petitioner is languishing in judicial custody since 20.01.2023.

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

The petitioner is directed to deposit a sum of Rs 20,000/- (Twenty 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 Sahebpur Kamal P.S. Case No. 15 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 Exclusive Special Excise Judge-
II, Begusarai.

The bail bonds of the petitioner shall be accepted
by the learned court below on showing the receipt of
deposit of Rs. 20,000/- (Rs. Twenty thousand) by the
petitioner in the account of the concerned DLSA.

(Sunil Kumar Panwar, J)

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