

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19154 of 2023

Arising Out of PS. Case No.-340 Year-2022 Thana- BAIKUNTHPUR District- Gopalganj

Bhola Prasad Son Of Late Ramlal Prasad Resident Of Village - Gamhari
Koeri Tola, P.S. - Baikunthpur, Distt. - Gopalganj

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Naresh Prasad

For the Opposite Party/s : Mr.Abhay Kumar Roy

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 18-05-2023 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), 41 Bihar Prohibition and Excise Act.

As per FIR, the prosecution case relates to recovery of total 1200 liters illicit liquor from the asbestos house of the petitioner.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case due to high handedness of the police. The petitioner has no concern with the alleged recovery nor he was apprehended on the spot. He has got no



criminal antecedent. It is further submitted that the 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 24.01.2023.

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 custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Baikunthpur P.S. Case No. 340 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 2nd Additional Sessions Judge-cum-Special Judge Excise-I, Gopalganj, District Gopalganj.

(Sunil Kumar Panwar, J)

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