

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19194 of 2023

Arising Out of PS. Case No.-217 Year-2022 Thana- BALRAMPUR District- Katihar

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KRANTI KUMAR S/O KAMESHWAR SHARMA R/O-
CHHATHIPOKHAR, PANCHWATI COLONY, K. HAT, DISTT.- PURNIA.
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Singh

For the Opposite Party/s : Mr.Gauri Shankar Gupta

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 19-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in a case registered
for the offence punishable under section 30(a) of the Bihar
Prohibition and Excise Act.

Prosecution case relates to recovery of 212.4 litres of
illicit liquor of different brand names from the tempo of the
petitioner and petitioner was apprehended on spot.

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no
offence. He has got no criminal antecedent. Nothing has been
recovered from possession of the petitioner. Petitioner has no
concern with the alleged recovery. Because petitioner was
driving the said tempo, he has been implicated in the present
case. Provision of Section 100 CR.P.C. has not been followed



by the police officials while preparing the seizure list. Petitioner is a man of clean antecedent. Petitioner is languishing in judicial custody since 7.11.2022.

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

Petitioner is directed to deposit Rs. 10,000/- (Rs. ten thousand) in the concerned DLSA.

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, Katihar in connection with Balrampur P.S. Case No. 217 of 2022.

The bail bonds of the petitioner shall be accepted by the learned court below on showing receipt of deposit of Rs. 10,000/- (ten thousand only) by the petitioner in the account of concerned DLSA.

(Sunil Kumar Panwar, J)

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