

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51635 of 2023**

Arising Out of PS. Case No.-1105 Year-2023 Thana- GOVERNMENT OFFICIAL COMP.
District- Gaya

=====

AMAN KUMAR S/O GUPTESHWAR PASWAN R/O VILLAGE-
BELHARIYA, P.S- BARACHATTI, DISTT.- GAYA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Vijay Kumar

For the Opposite Party/s : Mr.Harendra Prasad

=====

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 25-08-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner prayed for regular bail in
connection with Excise P.S. Case no. 1105 of 2023
instituted for the offence under Section 30(a), 56(b) of the
Bihar Prohibition and Excise Act.

As per prosecution case, the petitioner along with
a Bolera was apprehended on the spot and from the alleged
vehicle total 310.200 liters illegal liquor was recovered.

Learned counsel appearing on behalf of the
petitioner has submitted that petitioner is innocent and has
committed no offence. He has falsely been implicated in



this present case. He has got no criminal antecedent. The petitioner has no concern with the alleged recovery nor vehicle in question belongs to him. Nothing incriminating article has been recovered from his conscious possession. It is further submitted that Section 100 of the Cr.P.C. has not been followed while preparing the seizure list. The petitioner is languishing in judicial custody since 28.01.2023.

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

The petitioner is directed to deposit a sum of Rs 5,000/- (Five 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 Excise P.S. Case No. 1105 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 Excise Court No-3, Gaya.



The bail bonds of the petitioner shall be accepted by the learned court below on showing the receipt of deposit of Rs. 5,000/- (Rs. Five thousand) by the petitioner in the account of the concerned DLSA.

(Sunil Kumar Panwar, J)

Manishkumar/-

U		T	
---	--	---	--

