

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54481 of 2023**

Arising Out of PS. Case No.-1 Year-2023 Thana- GOVERNMENT OFFICIAL COMP.
District- Lakhisarai

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Rammurti Kumar Son of Lalan Yadav Resident of village - Lakhochak, P.S. -
Kiul, Distt. - Lakhisarai

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mayank Bilochan
For the Opposite Party/s : Mr.Pushpa Sinha

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

As per prosecution case, the petitioner was apprehended
on the spot with motorcycle and on search total 40 liters of
country made liquor was recovered from a sack which was
loaded on the motorcycle.

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 case. He has no
concern with the alleged recovery or with the vehicle in



question. No any incriminating article has been recovered from his conscious possession. Provision of Section 100 Cr.P.C. has not been followed by the police personnel while preparing the seizure list. Petitioner is languishing in judicial custody since 10.05.2023.

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

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 Additional Sessions Judge-V-cum-Exclusive Spl. Court-II, Excise Act, Lakhisarai in connection with Bannubagicha P.S. Case No. 01 of 2023.

(Sunil Kumar Panwar, J)

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