

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59221 of 2023**

Arising Out of PS. Case No.-24 Year-2023 Thana- BISHUNPUR CHOWK District-
Darbhanga

=====

AKHILESH RAY SON OF LATE JUGESHWAR RAY @ JAGESHWAR
RAY @ JOGESHWAR RAY RESIDENT OF VILLAGE- DAGHROL, PS-
BISHANPUR, DIST- DARBHANGA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Jitendra Narain Sinha

For the Opposite Party/s : Mr.Ahmad Ali

=====

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

2 12-09-2023 Heard learned counsel for the petitioner and learned
APP for the State.

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

Prosecution case relates to recovery of 242.265 litres
of IMF1 from wheat field, situated besides the poultry farm.

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no
offence. He has no concern with the alleged recovery or with the
place of occurrence. The alleged place is open area, easily
accessible to public. Neither the petitioner was arrested on spot
nor any incriminating article has been recovered from his



conscious possession. Provision of Section 100 CR.P.C. has not been followed by the police officials while preparing the seizure list. He is languishing in judicial custody since 2.7.2023.

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 Exclusive Special Judge-I, (Excise Act) Darbhanga in connection with Bishanpur PS Case No. 24 of 2023.

(Sunil Kumar Panwar, J)

lata/-

U			
---	--	--	--

