

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54943 of 2023

Arising Out of PS. Case No.-42 Year-2023 Thana- GOVERNMENT OFFICIAL COMP.
District- Gaya

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Manoj Kumar S/O Indar Mistry @ Indradev Vishwakarma R/O Village-
Nadiyain, P.S- Gurua, Distt.- Gaya. Petitioner/s

Versus

THE STATE OF BIHAR Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ravindra Kumar

For the Opposite Party/s : Mr.Tarkeshwar Nath Thakur

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 03-10-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in the present case registered for the offence punishable under sections 30(a) and 56(b) of the Bihar Prohibition and Excise (Amendment) Act.

Prosecution case relates to recovery of 115 litres of illicit liquor from a tempo and petitioner was arrested on spot who was driving the said vehicle.

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. Petitioner has no concern with the alleged recovery. Petitioner has no concern with the alleged vehicle or with the recovered wine. Vehicle belongs to co-villager, who has engaged the petitioner as part time driver. Provision of Section 100 CR.P.C. has not been



followed by the police officials while preparing the seizure list.
Petitioner is languishing in judicial custody since 17.7.2023.

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. III, Sherghati, Gaya in
connection with Excise Sherghati PS Case No. 42 of 2023.

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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