

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55924 of 2023

Arising Out of PS. Case No.-156 Year-2023 Thana- BARHIYA District- Lakhisarai

=====

Mukesh Kumar S/O Umesh Ram R/O Village- Gol-Bhattha, Ps. Barahiya,
Dist. Lakhisarai

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Umesh Prasad

For the Opposite Party/s : Mr.Nityanand

=====

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 21-09-2023 Heard learned counsel for the petitioner and learned

APP for the State.

The petitioner prayed for regular bail in connection
with Barahiya P.S. Case No. 156 of 2023 instituted for the
offence under Section 30(a) of the Bihar Prohibition and
Excise Act.

As per prosecution case, the petitioner along with a
Scorpio was apprehended on the spot and from the alleged
vehicle total 26 liters country made 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. No any 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 06.07.2023.

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 as well as 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 Barahiya P.S. Case No. 156 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 Special Judge, Excise Patna.

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)

Manishkr/-

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

