

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56091 of 2023

Arising Out of PS. Case No.-300 Year-2023 Thana- BARAULI District- Gopalganj

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UTTAM PRASAD @ UTTAM KUMAR SON OF PARMANAND PRASAD
RESIDENT OF VILLAGE- JALPURWA, PS- BARAULI, DISTT-
GOPALGANJ

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Lokesh Kumar Singh
For the Opposite Party/s : Mr.Veena Kumari Jaiswal

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 31-08-2023 Heard learned counsel for the petitioner and

learned APP for the State.

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

As per prosecution case, the petitioner along with
a motorcycle was recovered and on search total 78.120
liters foreign made illegal liquor was recovered.

Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He has
falsely been implicated in this case. The petitioner has no
concern with the alleged recovery rather as per Annexure-2,



the petitioner is bona-fide owner of the seized motorcycle. It is further submitted the seizure list has not been prepared as per provision of Section 100 of the Cr.P.C.. Moreover, the petitioner is languishing in judicial custody since 13.7.2023.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Barauli P.S. Case No. 300 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 concerned Court.

(Sunil Kumar Panwar, J)

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