

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56843 of 2023

Arising Out of PS. Case No.-173 Year-2022 Thana- BARUN District- Aurangabad

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HARENDRA MEHTA SON OF RAMCHANDRA MEHTA RESIDENT OF
VILLAGE- BARDIH KHURD, PS- BARUN, DISTT- AURANGABAD

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar Singh

For the Opposite Party/s : Mr.Mritunjay Kumar Nirala

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 05-09-2023 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, it is a case of recovery of
total 302.4 liter illegal liquor from a pickup van.

Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He has
falsely been implicated in this case merely on the basis of
confessional statement of co-accused. Neither the petitioner
was apprehended on the spot nor vehicle in question
belongs to him. It is further submitted that Section 100 of



the Cr.P.C. has not been followed while preparing the seizure list. Nothing has been recovered from his conscious possession. Moreover, the petitioner has been languishing in judicial custody since 28.07.2023.

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 Barun P.S. Case No. 173 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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