

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59209 of 2023

Arising Out of PS. Case No.-95 Year-2023 Thana- BALIGAON District- Vaishali

ASHOK RAI S/o- RAM JUGUT RAI @ RAM JUGUT RAY Village- Pastara
Ps- Baligaon Dist- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anuj Kumar

For the Opposite Party/s : Mr.Sanjay Kumar

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.

The petitioner has prayed for bail in a case registered for the offence punishable under sections 272 and 273 of the Indian Penal Code and Sections 30(a), 32(2), 41(1) of the Bihar Prohibition and Excise Act.

As per allegation in the FIR, during patrolling, on getting secret information about storage of consignment of liquor in semi constructed house of petitioner, police party proceeded there and arrested the petitioner. On search, 196.875 IMFL was recovered from his semi constructed house.

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. He has no concern



with the alleged recovery. Semi constructed house is abandoned and open so the same is easily accessible to public. 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 01.08.2023.

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 Excise Court No. 1-cum-Additional District and Sessions Judge, Vaishali at Hajipur in connection with Baligaon P.S. Case No. 95 of 2023.

(Sunil Kumar Panwar, J)

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