

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59024 of 2023

Arising Out of PS. Case No.-180 Year-2022 Thana- CHARPOKHARI District- Bhojpur

RAJU SINGH son of Rajbali Singh Village- Thegawa Ps- Charpokhari Dist-
Bhojpur at Ara

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashank Shekhar

For the Opposite Party/s : Mr.Ahmad Ali

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 Section 30(a) of the Bihar
Prohibition and Excise Act.

As per prosecution case, on seeing the police party, two
persons on a motorcycle fled away leaving behind a motorcycle
and from the alleged motorcycle total 60 liters of mahua 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 the present case on
the basis of suspicion. He has no concern with the alleged
recovery of liquor. He is neither the owner nor the driver of the



alleged motorcycle rather it belongs to his father. The name of the petitioner has been dragged in this case only at the instance of local chaukidaar. Neither the petitioner was arrested on the spot nor any incriminating article has been recovered from his conscious possession. Provision of Section 100 Cr.P.C. has not been followed by the police personnel while preparing the seizure list. Petitioner is languishing in judicial custody since 26.07.2023.

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 Judge-I, Bhojpur at Ara in connection with Charpokhari P.S. Case No. 180 of 2022.

(Sunil Kumar Panwar, J)

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