

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59220 of 2023

Arising Out of PS. Case No.-497 Year-2023 Thana- GOVERNMENT OFFICIAL COMP.
District- Saran

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JELAR RAI @ JELAR PRASAD YADAV Son of Sarayug Rai Resident of
Village-Rauja Gheghtha, P.S.-Chapra Mufassil, District-Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dewendra Narayan Singh
For the Opposite Party/s : Mr.Asha Kumari

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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 30(a) and 32(3) of the
Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 684 litres of
IMFL from an abandoned house of the petitioner and he was
arrested from another house.

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no
offence. He has no concern with the alleged recovery or with the
place of occurrence. The alleged place is abandoned and
ancestral joint property. 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 18.07.2023.

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 Additional District and Sessions Judge 2nd-cum-1st Exclusive Special judge, Excise, Saran at Chapra in connection with Saran Excise P.S. Case No. 497 of 2023.

(Sunil Kumar Panwar, J)

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