

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59738 of 2023

Arising Out of PS. Case No.-375 Year-2023 Thana- BAHADURPUR District- Darbhanga

BIRU KUMAR @ VIRENDRA KUMAR KUSHWAHA Son of Dinesh
Mahto @ Dinesh Kumar Mahto R/o vill - Dilawarpur, Milkichak Tola, P.S. -
Bahadurpur, Distt. - Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kanchan Jha

For the Opposite Party/s : Mr.Sanjay Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 08-09-2023 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) of the Bihar
Prohibition and Excise Act.

Prosecution case relates to recovery of 96 litres of
nepali liquor kept in three plastic bags from the motorcycle,
which was purchased (second hand) by the petitioner and he
was arrested on spot.

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 or with the vehicle in question.



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 25.7.2023.

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 Judge-1, Darbhanga in connection with Bahadurpur PS Case No. 375 of 2023.

(Sunil Kumar Panwar, J)

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