

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61940 of 2023

Arising Out of PS. Case No.-484 Year-2023 Thana- BHAGALPUR KOTWALI District-
Bhagalpur

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Devraj Anand @ Mar Kumar @ Amar Kumar S/O Nandan Yadav Village-
Khaira Saur Bazar, Ps- Saur Bazar, Dist- Saharsa

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pankaj Kumar

For the Opposite Party/s : Mr.Kumar Ranjit Ranjan

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 15-09-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner prayed for regular bail in connection
with Kotwali Barai P.S. Case No. 484 of 2023 instituted for
the offence under Section 30(a), 32(i)(ii), 41 of the Bihar
Prohibition and Excise Act.

As per prosecution case, the petitioner along with a
Bolero was apprehended on the spot and from the alleged
vehicle total 139.125 liters Indian Made Foreign 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 this



present case. He has got no criminal antecedent. The petitioner has no concern with the alleged recovery nor vehicle in question belongs to him. No any incriminating article has been recovered from his conscious possession. It is further submitted that Section 100 of the Cr.P.C. has not been followed while preparing the seizure list. The petitioner is languishing in judicial custody since 27.05.2023.

Learned APP appearing for the State has vehemently opposed the prayer of Bail.

The petitioner is directed to deposit a sum of **Rs 20,000/- (Twenty Thousand)** in the District Legal Services Authority of concerned District.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as judicial custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Kotwali Barai P.S. Case No. 484 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 Special Judge, Excise Patna.

The bail bonds of the petitioner shall be accepted by the learned court below on showing the receipt of deposit of



Rs. 20,000/- (Rs. Twenty thousand) by the petitioner in the
account of the concerned DLSA.

(Sunil Kumar Panwar, J)

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