

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.59541 of 2023**

Arising Out of PS. Case No.-1102 Year-2023 Thana- GOVERNMENT OFFICIAL COMP.  
District- Darbhanga

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Neeraj Kumar S/O Mohan Sahni R/O Village- Godhwar Chandi Tole, Ward  
No.-15, P.S- Moro, Distt.- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Prem Prakash Poddar  
For the Opposite Party/s : Mr.Bishweshwar Ram

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**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 regular bail in a case  
  
registered for the offence punishable under sections 30(a)  
  
Bihar Prohibition and Excise Act.

As per prosecution case, the petitioner was  
  
apprehended on the spot and upon search from his straw  
  
house total 45 liters foreign liquor was recovered.

Learned counsel for the petitioner submits that the  
  
petitioner is innocent and has committed no offence. He has  
  
falsely been implicated in this case. The petitioner has no  
  
concern with the alleged recovery and seizure list has not



been prepared as per provision of Section 100 of the Cr.P.C.. It is further submitted that nothing incriminating article has been recovered from his conscious possession. The petitioner is languishing in judicial custody since 22.07.2023.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Darbhanga Excise Sadar P.S. Case No. 1102 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 Exclusive Special Judge-I, Excise Act, Darbhanga.

**(Sunil Kumar Panwar, J)**

subham/-

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