

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59974 of 2023

Arising Out of PS. Case No.-635 Year-2023 Thana- GOVERNMENT OFFICIAL COMP.
District- Nawada

=====

Chandan Kumar Son Of Mahesh Yadav Village- Nawada Bigha, Ward No 14,
Ps- Atri, Dist- Gaya

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Man Mohan Kumar

For the Opposite Party/s : Mr.Nitya Nand Tiwary

=====

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 prayed for regular bail in connection
with Excise P.S. Case no. 635 of 2023 instituted for the
offence under Section 30(a), 56(2)(ii) of the Bihar Prohibition
and Excise Act.

As per prosecution case, the petitioner and co-
accused persons were apprehended on the spot and from their
splendor motorcycle total 90 liters country made 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 29.07.2023.

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

The petitioner is directed to deposit a sum of Rs 5,000/- (Five 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 Excise P.S. Case No. 635 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 concerned Court.

The bail bonds of the petitioner shall be accepted by



the learned court below on showing the receipt of deposit of
Rs. 5,000/- (Rs. Five thousand) by the petitioner in the
account of the concerned DLSA.

(Sunil Kumar Panwar, J)

manishkumar/-

U		T	
---	--	---	--

