

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60903 of 2023

Arising Out of PS. Case No.-452 Year-2023 Thana- BARHARA District- Bhojpur

Ubay Singh S/O Pannalal R/O 25, Diamond Palace, Sirpur, P.S- Chandan
Nagar, Distt.- Indore, Madhya Pradesh.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shyameshwar Kumar Singh

For the Opposite Party/s : Mr.Gauri Shankar Gupta

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 has prayed for bail in a case registered
for the offence punishable under sections 30(a), 32, 36(i), 41(i)
(ii) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 3051.72
litres of IMFL from a truck of which petitioner was driver 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. Petitioner is



languishing in judicial custody since 23.7.2023.

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 Excise Court No. 1, Bhojpur, Ara in connection with Barahara P.S. Case No. 452 of 2023.

(Sunil Kumar Panwar, J)

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