

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60835 of 2023

Arising Out of PS. Case No.-438 Year-2023 Thana- RAMPUR District- Gaya

Raju Kumar @Raju Prasad Son Of Late Ramjee Prasad @ Rama Shankar Prasad Resident Of Vill- Ramna, Ward No 23, Ps- Sherghati, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Yadav

For the Opposite Party/s : Mr. Mohammad Sufyan

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 08-11-2023 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 414, 420, 467, 468/34 of the IPC and Section 30(a) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 12.750 litres of IMFL from a stolen motorcycle and driver of the said motorcycle managed to escape and petitioner, who was sitting as pillion rider, was apprehended 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 4.7.2023.

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.-I, Gaya in connection with Rampur PS Case No. 438 of 2023.

(Sunil Kumar Panwar, J)

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