

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65832 of 2023

Arising Out of PS. Case No.-295 Year-2023 Thana- SABAUR District- Bhagalpur

SUMAN KUMAR Son of Suresh Shah R/o vill - Parhariya Samukhia More,
P.S. - Banka, Distt. - Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajive Ranjan Singh

For the Opposite Party/s : Mr.Shyam Bihari Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 17-10-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail registered for the
offence punishable under section 30(a) of the Bihar Prohibition
and Excise Act, 2016.

Prosecution case relates to recovery of 22.875 litres of
illicit liquor from a scooty which was being driven by the
petitioner 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. Because the
petitioner had purchased the scooty from owner, he has been
implicated in the present case. 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 2.6.2023.

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

Petitioner is directed to deposit Rs. **5,000/- (Rs. Five thousand)** in the concerned DLSA.

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 Judge II, Bhagalpur in connection with Sabour (Goradih) P.S. Case No. 295 of 2023.

The bail bonds of the petitioner shall be accepted by the learned court below on showing receipt of deposit of Rs. **5,000/- (Five thousand only)** by the petitioner in the account of concerned DLSA.

(Sunil Kumar Panwar, J)

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