

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62977 of 2023

Arising Out of PS. Case No.-71 Year-2023 Thana- BAHERA District- Darbhanga

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Ajay Sah @ Jai Bhagwan Son Of Shiv Kumar Sah @ Shiv Kumar Sahu
Village Radhiyam P S Bahera District Darbhanga

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anju Jha

For the Opposite Party/s : Mr.Md. Shakir Ahmad

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 22-09-2023 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, it is a case of recovery of
total 440.64 liter illegal foreign liquor from the room of State
Boaring situated at Bhalwai orchard.

Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He has
falsely been implicated in this case. Neither the petitioner was
apprehended on the spot nor place of recovery belongs to him. It
is further submitted that nothing has been recovered from his



conscious possession. The seizure list has not been prepared as per provision of Section 100 of the Cr.P.C.. Moreover, the petitioner is languishing in judicial custody since 18.08.2023.

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 Bahera P.S. Case No. 71 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.

(Sunil Kumar Panwar, J)

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