

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64205 of 2023

Arising Out of PS. Case No.-945 Year-2023 Thana- AHYAPUR District- Muzaffarpur

SURESH RAI @ SURESH KUMAR son of Mahendra Rai Village- Adam
Chhapra Ps- Ahiyapur Dist- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Nitu Kumari

For the Opposite Party/s : Mr. Zainul Abedin

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 13-12-2023 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) of the Bihar
Prohibition and Excise Act.

Prosecution case relates to recovery of 327.600
litres of illicit liquor near the boundry wall of asbestos house of
the petitioner which was buried beneath the earth in a box.

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. Nothing has been
recovered from conscious possession of the petitioner. The place
of recovery is a joint family property and the same is an open
area without any gate. Provision of Section 100 CR.P.C. has not



been followed by the police officials while preparing the seizure list. Petitioner was not arrested on spot. He is languishing in judicial custody since 8.8.2023.

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 Judge, Excise Court No.- 1, Muzaffarpur in connection with Ahiyapur P.S. Case No. 945 of 2023.

(Sunil Kumar Panwar, J)

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