

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64003 of 2023

Arising Out of PS. Case No.-927 Year-2023 Thana- KHAJANCHI HAT District- Purnia

SAMBHU SAH @ SHAMBHU PRASAD SAH Son of Late Bhagwat Sah
R/o vill - Bari Ghat, ward no. 21, P.S. - K. Hat (Sahayak) Distt. - Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Prawesh Kumar

For the Opposite Party/s : Mr.Prem Kumar Jha

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 11-10-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case instituted for the offence under Sections 272, 273, 379, 414, 467, 468, 471 and 34 of the Indian Penal Code, Sections 30(a), 30(c), 30(d), 32, 33, 34, 36 and 41 of the Bihar Prohibition and Excise Act and Sections 51, 63, 64 of the Copy Right Act.

3. As per prosecution case, there has been recovery of 540 liters of raw sprit from the house of the co-accused Pawan Kumar and 15.6 liters of wine from a vehicle.

4. It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. He has committed no offence. He submitted that the petitioner has no concern either with the seized vehicle or with the wine/sprit in



question. No incriminating article has been recovered from the conscious possession of the petitioner. The provision of Section 100 of the Cr.P.C. has not been followed in this case, while preparing the seizure list. He is languishing in judicial custody since 06.08.2023.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, 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, Court No. 1, Purnea in connection with Khajanchi Hat P.S. Case No. 927 of 2023.

(Sunil Kumar Panwar, J)

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