

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65169 of 2023

Arising Out of PS. Case No.-549 Year-2023 Thana- SHAHPUR PATORI District- Samastipur

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RAM NATH KUMAR @ RAMNATH KUMAR S/O SHRI RAMPRAVESH
RAI R/O VILLAGE- DAKSHINI DUMARI, P.S- PATORI (MOHANPUR
OP), DISTT.- SAMASTIPUR, STATE- BIHAR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Amit Narayan

For the Opposite Party/s : Mr.Syed Ehteshamuddin

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 13-10-2023 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 Section 30(a) of the Bihar
Prohibition and Excise Act.

3. As per prosecution case, there has been recovery of
180 liters of illegal country-made liquor from a motorcycle.

4. It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has
committed no offence. Petitioner has apprehended on spot. He
submitted that the petitioner has no concern with the seized
wine in question. It is apparent from the vide para-3 of the
supplementary affidavit that petitioner is the owner of the seized



motorcycle Hero Splendor, whose Regd. No. BR33AP-7893 Chasis No. MBLHAW121LHH11119 and Engine No. HA11EYLHH09840. The provision of Section 100 of the Cr.P.C. has not been followed in this case. No incriminating article has been recovered from the conscious possession of the petitioner. He is languishing in judicial custody since 26.08.2023.

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 ADJ-cum-Spl. Excise Judge-II, Samastipur in connection with Shahpur Patori P.S. Case No. 549 of 2023.

(Sunil Kumar Panwar, J)

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