

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65194 of 2023

Arising Out of PS. Case No.-347 Year-2023 Thana- KONCH District- Gaya

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ASHOK KUMAR SON OF LATE GAYA YADAV RESIDENT OF
VILLAGE - AMRA, P.S. - KONCH, DISTRICT - GAYA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Kumar Singh

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

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 12-10-2023 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 30(a) and 41 of the
Bihar Prohibition and Excise Act.

3. As per prosecution case, there has been recovery of
265 liters of illegal country-made liquor from a Pick-up Van.

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 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 23.07.2023.

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 Court concerned in connection with Konch P.S. Case No. 347 of 2023.

(Sunil Kumar Panwar, J)

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