

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70500 of 2023

Arising Out of PS. Case No.-471 Year-2023 Thana- KOILWAR District- Bhojpur

=====

NAND LAL RAY SON OF LALMOHAN RAY RESIDENT OF VILLAGE-
MAUSTAFAPUR, PS- BIHTA, DISTT- PATNA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Praveen Kumar

For the Opposite Party/s : Mr. Murli Dhar, APP

=====

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 06-11-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner prayed for regular bail in
connection with Koilwar P.S. Case No. 471 of 2023
instituted for the offence under Sections 30(a) of the Bihar
Prohibition and Excise Act.

As per FIR, the petitioner was apprehended on the
spot and from a Tempo bearing Reg. No. BR01PP 9638,
total 240 liters of Desi Mahaua liquor was recovered which
was being driven by the petitioner.

Learned counsel appearing on behalf of the
petitioner has submitted that petitioner is innocent and has
committed no offence. He has falsely been implicated in



this present case. He is going through the road in the meantime while police party arrested him. He has got no criminal antecedent. He has no concern with the alleged recovery nor vehicle in question belongs to him. Seizure list has not been prepared as per provision of Section 100 of the Cr.P.C. It is further submitted that nothing incriminating article has been recovered from his conscious possession. The petitioner is languishing in judicial custody since 05.08.2023.

Learned APP appearing for the State has vehemently opposed the prayer of Bail.

The petitioner being driver of the alleged vehicle is directed to deposit a sum of **Rs 5,000/- (Five Thousand)** in the District Legal Services Authority of concerned District.

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 released on bail in connection with Koilwar P.S. Case No. 471 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 Exclusive Special Judge, Excise Court No. II,
Bhojpur at Ara.

The bail bond of the petitioner shall be accepted
by the learned court below on showing the receipt of
deposit of **Rs. 5,000/- (Rs. Five thousand)** by the petitioner
in the account of the concerned DLSA.

(Sunil Kumar Panwar, J)

lata/-

U		T	
---	--	---	--

