

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70138 of 2023

Arising Out of PS. Case No.-157 Year-2023 Thana- CHACKMEHSI District- Samastipur

SAWAN KUMAR son of Prabhu Sahni Village- Barheta W.No-5, Ps-
kalyanpur Dist- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amar Kumar Singh

For the Opposite Party/s : Mr.Parmanand Prasad

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 03-11-2023 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
284 liters of illegal foreign liquor from the different
motorcycles.

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 vehicles 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 followed in this case. 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 Exclusive Special Excise Judge-I, Samastipur in connection with Chakmehsi P.S. Case No. 157 of 2023.

(Sunil Kumar Panwar, J)

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