

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.70052 of 2023**

Arising Out of PS. Case No.-902 Year-2023 Thana- KHAGARIA District- Khagaria

Rohit Nonia @ Rohit Noniya S/O Shankar Noniya Resident Of Village-  
Dannagar, Ward No.-14, P.S And Distt.- Khagaria.

... .. 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.Sunil Kumar Pandey

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

2      02-11-2023                      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  
1.620 liter of illegal foreign liquor from the house of the  
petitioner.

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 with the wine in question. On the basis of suspicion,  
petitioner has been implicated in this case. 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 08.09.2023.

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 Khagaria P.S. Case No. 902 of 2023.

**(Sunil Kumar Panwar, J)**

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