

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72119 of 2023

Arising Out of PS. Case No.-135 Year-2023 Thana- SANHAULA District- Bhagalpur

BIRAJ KUMAR @ VIRAJ KUMAR @ BIRAJ KUMAR MALLAH S/o-
ARJUN KUMAR R/o- Dengalpara Ps- Muffasil Dist- Dumka Jharkhand

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satya Prakash Parasar

For the Opposite Party/s : Mr.Ramesh Chandra

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 08-11-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in a case registered for the offence punishable under section 30(a) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 189 litres of illicit wine from Bolero vehicle and three accused persons including the petitioner were arrested on spot.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has got no criminal antecedent. Petitioner has no concern with the alleged recovery. Provision of Section 100 CR.P.C. has not been followed by the police officials while preparing the seizure list. Petitioner is languishing in judicial



custody since 21.08.2023.

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

Petitioner is directed to deposit Rs. **5,000/- (Rs. Five thousand)** in the concerned DLSA.

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 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 Special Judge, Excise Court-II, Bhagalpur in connection with Sanhaula P.S. Case No. 135 of 2023.

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

(Sunil Kumar Panwar, J)

sushma/-

U			
---	--	--	--

