

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69372 of 2022

Arising Out of PS. Case No.-891 Year-2022 Thana- ARA NAGAR District- Bhojpur

=====

AVINASH KUMAR Son of Subodh Kumar Resident of Village - Bela, P.S.-
Sigauri, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Raja Ram Mishra

For the Opposite Party/s : Mr.Akshay Lal Pandit

=====

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 25-04-2023 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 100 litres
country made liquor from the motorcycle and petitioner was
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 or with the vehicle in
question. The alleged motorcycle was in abandoned state. No
compliance of Section 100 Cr.P.C. by the police in the process



of search and seizure in this case. Petitioner is languishing in judicial custody since 11.10.2022.

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

Petitioner is directed to deposit Rs. 10,000/- (Rs. ten thousand) in the account of 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 Exclusive Special Excise Court-i, Bhojpur, Ara in connection with Ara Town P.S. Case No. 891 of 2022.

The bail bonds of the petitioner shall be accepted by the learned court below on showing receipt of deposit of Rs. 10,000/- (ten thousand only) by the petitioner in the account of concerned DLSA.

(Sunil Kumar Panwar, J)

sushma/-

U			
---	--	--	--

