

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72113 of 2023

Arising Out of PS. Case No.-438 Year-2023 Thana- KAHALGAON District- Bhagalpur

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AVANISH BHARDWAJ @ ABHINISH BHARDWAJ son of Aman Pandey
@ Amar Nath Pandey Village- Ekchari Ps- Rasalpur Dist- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Amar Anand

For the Opposite Party/s : Mr.Shyam Bihari Singh

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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) Bihar Prohibition
and Excise Act.

Prosecution case relates to recovery of 50 litres mahua
liquor from the motorcycle of the petitioner and he was arrested
on spot.

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no
offence. 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 13.4.2023.



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 Excise Judge-II, Bhagalpur in connection with Kahalgaon P.S. Case No. 438 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)

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