

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75496 of 2023

Arising Out of PS. Case No.-1181 Year-2023 Thana- Excise P.S. District- Darbhanga

Rajesh Yadav @ Rajesh Kumar @ Rajesh Kumar Yadav Son Of Balaram
Yadav @ Baliram Yadav @ Balram Yadav R/O Village- Nadikat Diwari, P.S.-
Sadar, Dist.- Darbhanga

... .. Petitioner/s

Versus

THE STATE OF BIHAR PATNA

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vinay Kumar Mishra
For the Opposite Party/s : Mr.Shyam Bihari Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 29-11-2023 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 sections 30(a) of the Bihar
Prohibition and Excise Act.

Prosecution case relates to recovery of 36 litres of
Nepali liquor from a motorcycle which was being driven by 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. He has got no criminal antecedent. 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 3.9.2023.

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

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 Spl. Judge-I, (Excise Act,) Darbhanga in connection with Excise Sadar P.S. Case No. 1181 of 2023.

(Sunil Kumar Panwar, J)

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