

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72611 of 2023

Arising Out of PS. Case No.-350 Year-2023 Thana- CHHATAUNI District- East Champaran

Shreeram Kumar Son Of Shree Prabhu Ram Resident Of Village Parsauni
Ward No 04, P.S.- Sahebganj, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar

For the Opposite Party/s : Mr.Arun Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 28-11-2023 Heard learned counsel for the petitioner and learned
APP for the State.

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

Prosecution case relates to recovery of 157.200 litres
of nepali liquor from a tempo 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. Because he was driving the
tempo, he has been implicated in the present case. 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 24.7.2023.

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 Exclusive Special Excise Court no. 1, East Champaran, Motihari in connection with Chhatauni P.S. Case No. 350 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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