

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71897 of 2023

Arising Out of PS. Case No.-157 Year-2021 Thana- Excise P.S. District- Samastipur

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AJAY PRASAD SINGH SON OF LATE TRIVENI PRASAD SINGH
RESIDENT OF MOHALLA- BHUA BUJUR, WARD NO. 02, PS-
MASRIGHARARI, DIST- SAMASTIPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Aprajita

For the Opposite Party/s : Mr.Sanjay Kumar Sharma

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 09-11-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
instituted for the offence under Section 30(a) of the Bihar
Prohibition and Excise Act.

3. As per prosecution case, there has been recovery of
56.280 liters of illegal liquor behind the house of the petitioner.

4. It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has
committed no offence. He submitted that the petitioner has no
concern with the seized wine in question and the place of
occurrence does not belongs to the petitioner. No incriminating
article has been recovered from the conscious possession of the



petitioner. The provision of Section 100 of the Cr.P.C. has not been followed in this case, while preparing the seizure list. Petitioner has got no criminal antecedent as stated in para-3 of the bail petition. He is languishing in judicial custody since 18.08.023.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, 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 Court concerned in connection with Excise P.S. Case No. 157 of 2021.

(Sunil Kumar Panwar, J)

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