

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73913 of 2023

Arising Out of PS. Case No.-295 Year-2021 Thana- UCHKAGAON District- Gopalganj

Theha Singh @ Surendra Singh Son Of Late Shivjee Singh Resident Of
Village- Jamsar Bazar, Ps- Uchkagaon, Distt- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Naresh Prasad

For the Opposite Party/s : Mr.Upendra Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 02-12-2023 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) (b) of the Bihar
Prohibition and Excise Act.

Prosecution case relates to recovery of eight litres
country made liquor from a bag, which was thrown by accused
person, who managed to escape after seeing the police party.
Allegedly petitioner was going to deliver the said liquor to
several person.

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no
offence. Petitioner was not arrested on spot. No incriminating
article was recovered from his conscious possession. He has no



concern with the alleged recovery or with the place of occurrence. 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 30.6.2023.

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 2nd Additional Sessions Judge-cum-Special Judge, Excise-I, Gopalganj in connection with Uchkagaon P.S. Case No. 295 of 2021.

(Sunil Kumar Panwar, J)

sushma/-

U			
---	--	--	--

