

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75348 of 2023

Arising Out of PS. Case No.-127 Year-2023 Thana- LALGANJ District- Vaishali

Tarkeshwar Singh Son Of Vidha Singh @ Vidya Singh Village Salempur Ps
Lalganj District Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shyameshwar Kumar Singh

For the Opposite Party/s : Mr.Ajay Kumar No. 2

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), 30(d) of the
Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 35 litres of
liquor from an open field and allegedly three persons managed
to escape including the petitioner.

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no
offence. He has no concern with the alleged recovery or with
the place of occurrence. The name of the petitioner has been
disclosed in this case by the spy before the police. Neither the
petitioner was arrested on spot nor any incriminating article has



been recovered from his conscious possession. Provision of Section 100 CR.P.C. has not been followed by the police officials while preparing the seizure list. He is languishing in judicial custody since 19.08.2023.

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. Excise Court no.-cum-Additional Distt. & Sessions Judge, Vaishali at Hajipur in connection with Lalganj P.S. Case No. 127 of 2023.

(Sunil Kumar Panwar, J)

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