

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75507 of 2023

Arising Out of PS. Case No.-1689 Year-2023 Thana- Excise P.S. District- Gaya

RAHUL KUMAR Son of Vinay Singh Resident of Village - Majlishpur, P.S.-
Bidupur, District - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashank Shekhar

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

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 section 30 (a) of Bihar
Prohibition and Excise Act.

Prosecution case relates to recovery of 400.5 litres of
IMFL from a pickup van of which petitioner was driver 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 24.09.2023.



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

Petitioner is directed to deposit Rs. **10,000/- (Rs. ten 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 Spl. Judge, Excise Court No. III, Gaya in connection with Excise PS Case No. 1689 of 2023.

The bail bonds of the petitioner shall be accepted by the learned court below on showing receipt of deposit of Rs. **10,000/- (ten thousand only)** by the petitioner in the account of concerned DLSA.

(Sunil Kumar Panwar, J)

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