

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.220 of 2023

Arising Out of PS. Case No.-776 Year-2022 Thana- SASARAM NAGAR District- Rohtas

Prakash Kumar S/O Awadh Kol @ Awadh Kolah R/O Village- Tarachandi ,
P.S.- Darigaon, Dist. Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajani Kant Singh

For the Opposite Party/s : Mr.Uday Pratap Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 20-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner prayed for regular bail in connection
with Sasaram Town (Darigaon) P.S. Case no. 776 of 2022
instituted for the offence under Sections 30(a) of the Bihar
Prohibition and Excise Act.

Prosecution case relates to recovery of total 30 liter
country made liquor which was recovered from a sack loaded on
a motorcycle bearing Reg. No. BR-24J-5018. After that this case
has been lodged

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no
offence. Petitioner is only a passerby and he has falsely been



implicated in this present case merely on the basis of suspicion. Petitioner has no concern with the alleged recovery nor vehicle in question belongs to him. No any incriminating article has been recovered from his conscious possession. Seizure list has not been prepared as per Section 100 of the Cr.P.C.. It is further submitted that petitioner has got no criminal antecedent moreover, he is languishing in judicial custody since 11.09.2022.

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

The petitioner is directed to deposit a sum of Rs 10,000/- (Ten Thousand) in the District Legal Services Authority of concerned District.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as judicial custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Sasaram Town (Darigaon) P.S. Case No. 776 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No-2 cum-Additional District and Sessions Judge, Rohtas at Sasaram.



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

(Sunil Kumar Panwar, J)

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