

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79158 of 2023

Arising Out of PS. Case No.-174 Year-2023 Thana- Excise P.S. District- East Champaran

Rajeev Son Of Phulchand Ram Village- Narayanpur Ps -Kachhawa District
-Mirzapur (U.P.)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Baidya Nath Thakur

For the Opposite Party/s : Mr.Md. Mushtaque Alam

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 07-12-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in a case registered for the offence punishable under section 30(a) of the Bihar Prohibition and Excise Act.

3. Prosecution case relates to recovery of total 70.5 liters of Nepali liquor from a Scorpio Car bearing Reg. No. UP 70 DA 6172.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this case. He has no concern with the alleged recovery of liquor or with the vehicle in question. 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 personnel while preparing the seizure list. Petitioner has got no criminal antecedent and he is languishing in judicial custody since 03.09.2023.

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

6. 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 Special Excise Judge-02, East Champaran at Motihari in connection with Excise Madhuban P.S. Case No.174 of 2023.

(Sunil Kumar Panwar, J)

lata/-

U		T	
---	--	---	--

