

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82172 of 2023

Arising Out of PS. Case No.-329 Year-2023 Thana- Excise P.S. District- Jehanabad

PRAKASH KUMAR SON OF RAJESH KUMAR RESIDENT OF
VILLAGE -WASILPUR PS AND DISTRICT- ARWAL

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Paras Nath

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

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 19-12-2023 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 one liter country made liquor from the possession of the petitioner.

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 any concern with the alleged recovery of liquor. Nothing has been recovered from his possession rather one unknown person fled away after throwing the polythene of liquor and mere on suspicion he has been arrested by the police.



Provision of Section 100 Cr.P.C. has not been followed by the police personnel while preparing the seizure list. He is languishing in judicial custody since 30.10.2023.

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 Special Judge Excise-II, Jehanabad in connection with Arwal Excise P.S. Case No. 329 of 2023.

(Sunil Kumar Panwar, J)

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