

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82168 of 2023

Arising Out of PS. Case No.-466 Year-2023 Thana- Excise P.S. District- Patna

Chandan Kumar S/O Pappu Paswan R/O Village- Jehanabad, P.S- Jehanabad,
Distt.- Jehanabad.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jay Ram Prasad

For the Opposite Party/s : Mr.Md. Matloob Rab

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.

The petitioner prayed for regular bail in connection with Excise (Masaurhi) P.S. Case No. 466 of 2023 instituted for the offence under Sections 30(a) of the Bihar Prohibition and Excise Act.

As per FIR, the petitioner was apprehended on the spot along with co-accused Ravi Shankar Kumar and from a Scorpio vehicle bearing Reg. No. BR02Z8952, total 95.000 liters of country made liquor was recovered.

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 present case. He has got no criminal antecedent. Petitioner has no concern with the alleged recovery of liquor nor vehicle in question belongs to him. Seizure list has not been prepared as per provision of Section 100 of the Cr.P.C. It is further submitted that nothing incriminating article has been recovered from his conscious possession. The petitioner is languishing in judicial custody since 12.09.2023.

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

The petitioner being driver of the alleged vehicle 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, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Excise (Masaurhi) P.S. Case No. 466 of 2023 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 Judge-2, Patna.

The bail bond 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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