

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.81186 of 2023**

Arising Out of PS. Case No.-123 Year-2023 Thana- Excise P.S. District- Buxar

Tarun Kumar Agrawal Son Of Sri Pradeep Kumar Agrawal @ Pradip Kumar  
Agrawal R/O Village- Jagdishpur Pani Tanki, P.S.- Baliya, District- Baliya  
(U.P.)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Amarendra Kumar

For the Opposite Party/s : Mr.Shyam Bihari Singh

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

2      15-12-2023                      Heard learned counsel for the petitioner and  
  
learned APP for the State.

The petitioner has prayed for bail in connection  
with Excise (Dumaraon) P.S. Case No. 123 of 2023  
registered for the offence punishable under section 30(A) of  
the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 547.200  
litres of IMFL from the Tata Pick-up van and petitioner was  
apprehended on spot, who was driver and owner of the said  
vehicle.

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. Petitioner has no concern with the alleged recovery. Because of his ownership, he has been implicated in the present case. 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 3.10.2023.

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

Petitioner is directed to deposit Rs. **5,000/- (Rs. Five 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 Special Excise Judge-II, Buxar in connection with Excise (Dumaron) P.S. Case No. 123 of 2023.

The bail bonds of the petitioner shall be accepted by the learned court below on showing receipt of deposit of



Rs. **5,000/- (Five thousand only)** by the petitioner in the  
account of concerned DLSA.

**(Sunil Kumar Panwar, J)**

sushma/-

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