

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81064 of 2023

Arising Out of PS. Case No.-162 Year-2023 Thana- KALER District- Jehanabad

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Prem Kumar Son Of Shivdani Singh @ Shiv Dani Prasad Singh R/O Bokaro
Stell City, P.S.- Sector-12, District- Bokaro (Jharkhand)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Kumar Sinha

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

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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 prayed for regular bail in
connection with Kaler P.S. Case No. 162 of 2023 instituted
for the offence under Sections 30(a) and 30(d) of the Bihar
Prohibition and Excise Amendment Act.

As per FIR, the petitioner was apprehended on the
spot and from a Maruti Suzuki Car bearing Reg. No.
JH10S-5666, total 180 liters illicit 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 due to high handedness of police.
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 28.10.2023.

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 5,000/- (Five 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 Kaler P.S. Case No. 162 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 Special Judge-II, Excise, Jehanabad.

The bail bond of the petitioner shall be accepted



by the learned court below on showing the receipt of deposit of **Rs. 5,000/- (Rs. Five thousand)** by the petitioner in the account of the concerned DLSA.

(Sunil Kumar Panwar, J)

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