

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6814 of 2024

Arising Out of PS. Case No.-90 Year-2023 Thana- Excise P.S. District- Vaishali

=====

Siyaram Ray S/o Late Lalbabu Ray @ Lalababu Ray R/o Vill - Baikunthpur,
Ward No. 9, P.S. - Rajapakar, Dist. - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner : Mr. Mritunjay Kumar, Advocate
For the State : Mr. Shahabuddin Azeem @ S. Azeem, APP

=====

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 16-02-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Mahua
P.S. Case No. 90 of 2023 instituted for the offence under Section
30(a) of the Bihar Prohibition and Excise (Amendment) Act,
2018.

3. As per prosecution case, there is recovery of total
751.320 liters of illicit Indian made liquor from room of the
godown.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 13-11-2023. Petitioner is
stated to be man of clean antecedent.

5. It has been further submitted by the petitioner's



counsel that petitioner has been falsely implicated in the present case. Petitioner has no concern with the alleged recovered liquor. Nothing has been recovered from the conscious possession of the petitioner. In fact, seizure list is not prepared in accordance with law. There is no compliance of Section 100 of the Code of Criminal Procedure, 1973.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner, clean antecedent and manner of implication, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Mahua Excise P.S. Case No. 90 of 2023.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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

