

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73195 of 2023

Arising Out of PS. Case No.-297 Year-2023 Thana- PATNA CITY CHOWK District- Patna

JAYKANT RAY @ JAI KANT RAI Son of Sanjivan Ray R/o vill - Baglodan
Gali, P.s. - Chowk, Distt. - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar

For the Opposite Party/s : Mr.Akshay Lal Pandit

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 15-01-2024 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 414 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per allegation in the FIR, the police intercepted a motorcycle and recovered 60 litres of 'mahua' liquor which was kept in sack and tied behind the back seat of the motorcycle. It is further alleged that the vehicle is found to be stolen one. Accordingly, the present FIR.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has



committed no offence. He was not arrested on spot rather apprehended accused Deepak Kumar disclosed his name as one of his associates. He has no concern with the alleged recovery or with the vehicle in question. No any incriminating article has been recovered from his conscious possession. Provision of Section 100 CR.P.C. has not been followed by the police officials while preparing the seizure list. Similarly situated other accused person has already been enlarged on bail by another coordinate Bench of this Court vide order dated 26.7.2023 passed in Cr. Misc. No. 44845 of 2023. He is languishing in judicial custody since 4.09.2023.

5. Learned APP appearing for the State has opposed the prayer of Bail and submitted that petitioner is a habitual offender and almost cases, pending against him, are of like nature.

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 Exclusive Special Court of Excise, Patna City
at Patna in connection with Chowk P.S. Case No. 297 of
2023.

(Sunil Kumar Panwar, J)

sushma/-

U			
---	--	--	--

