

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84049 of 2023

Arising Out of PS. Case No.-631 Year-2023 Thana- BRAHMPUR District- Buxar

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Ramakant Prasad Son Of Sri Bhirung Prasad Resident Of Village- Hemdapur,
Police Station- Brahampur (Chakki), District- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Parijat Saurav

For the Opposite Party/s : Mr.Nagendra Prasad

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 05-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under section 30(a), of the Bihar Prohibition and Excise Act.

3. As per FIR, prosecution case relates to recovery of 16.920 liter foreign made liquor from sack of the petitioner and who was also apprehended on the spot.

4. 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 merely on the basis of suspicion. The petitioner has no concern with the alleged recovery. No any



incriminating article has been recovered from conscious possession of the petitioner. It is further submitted that Section 100 of the Cr.P.C. has not been followed while preparing the seizure list. The petitioner is languishing in judicial custody since 16.10.2023.

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

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as judicial custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Brahampur (Chakki) P.S. Case No. 631 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Excise Court-II, Buxar.

(Sunil Kumar Panwar, J)

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