

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84069 of 2023

Arising Out of PS. Case No.-313 Year-2023 Thana- DORIGANJ District- Saran

Chandan Kumar Son Of Ram Ugrah Ray Resident Of Village - Kanhauli, P.S.
- Bihta, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Niwas Prasad

For the Opposite Party/s : Mr.Lakshmi Kant Sharma

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 bail in a case registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Amendment Act.

3. Prosecution case relates to recovery of total 129.6 liters of English wine from the tempu.

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 case. He has no concern with the alleged recovery of liquor nor vehicle in question belongs to him. His name surfaced in this case by the apprehended person which has got no evidentiary value in the eye of law. Neither the petitioner was arrested on



spot nor any incriminating article has been recovered from his conscious possession. Provision of Section 100 Cr.P.C. has not been followed by the police personnel while preparing the seizure list. Petitioner has got no criminal antecedent and languishing in judicial custody since 15.10.2023.

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

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 3rd Exclusive Special Excise Judge, Saran at Chapra in connection with Doriganj P.S. Case No.313 of 2023.

(Sunil Kumar Panwar, J)

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