

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85667 of 2023

Arising Out of PS. Case No.-630 Year-2023 Thana- Excise P.S. District- Madhubani

Rajesh Kumar Das SON OF ANAND DAS R/O VILLAGE- JOGIYA, P.S.-
LADANIYA, DIST.- MADHUBANI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Gagandeo Yadav Mr. Ravi Prakash Mr. Udeshya Kr. Yadav Mr. Rajesh Kumar
For the Opposite Party/s :		Mr.Nitya Nand Tiwary

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 10-01-2024 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner prayed for regular bail in connection with Town Excise P.S. Case No.630 of 2023 instituted for the offence under Sections 30(a) of the Bihar Prohibition and Excise Act.

As per FIR, the petitioner was apprehended on the spot and from a motorcycle, total 54.450 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. He has got no criminal antecedent. Petitioner has no concern with the alleged recovery 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 03.10.2023.

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

The petitioner 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 Town Excise P.S. Case No.630 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 Additional Sessions Judge-II-cum-Special Judge, Excise Act, Madhaubani.



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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