

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.459 of 2024

Arising Out of PS. Case No.-1350 Year-2023 Thana- Excise P.S. District- Jamui

Rajkumar Yadav S/O Bhelu Yadav R/O Village- Ghodaparan, P.S-
Lakshmipur, Distt.- Jamui.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Akash Raj

For the Opposite Party/s : Mr.Gauri Shankar Gupta

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 16-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

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

3. As per prosecution case, there has been recovery of
10 liters of illegal country-made liquor from the motorcycle of
the petitioner.

4. It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has
committed no offence. Petitioner has no concern with the seized
wine. He submitted that petitioner is the owner of the said
motorcycle in question but he has been falsely implicated in this
case due to his criminal antecedents. The provision of Section



100 of the Cr.P.C. has not been followed in this case, while preparing the seizure list. He is languishing in judicial custody since 15.10.2023.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, 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 Excise Judge-II, Jamui in connection with Excise P.S. Case No. 1350 of 2023.

(Sunil Kumar Panwar, J)

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