

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85659 of 2023

Arising Out of PS. Case No.-1022 Year-2023 Thana- TURKAULIYA District- East
Champaran

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Arvind Kumar Son Of Nagina Manjhi Resident Of Village - Khadwa Mushar
Toli, P.S. - Banjariya, District - East Champaran Petitioner/s
Versus

THE STATE OF BIHAR Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ujjwal Kumar Singh
For the Opposite Party/s : Mr.Tarkeshwar Nath Thakur

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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.

2. The petitioner has prayed for bail in a case registered for the offence punishable under sections 414 of the Indian Penal Code and sections 30(a) and 41(i) of the Bihar Prohibition and Excise Act.

3. Prosecution case relates to recovery of 50 litres country made from a motorcycle, which was being driven by the petitioner and he was apprehended on spot by the police force.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has got no criminal antecedent. Provision of Section 100 CR.P.C. has not been followed by the police officials while preparing the seizure list. Petitioner is



languishing in judicial custody since 30.09.2023.

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

6. Petitioner is directed to deposit Rs. **5,000/- (Rs. Five thousand)** in the concerned DLSA.

7. 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 Excise Court no. I, Motihari, East Champaran in connection with Turkauliya (Banjariya) P.S. Case No. 1022 of 2023.

8. The bail bonds of the petitioner shall be accepted by the learned court below on showing receipt of deposit of Rs. **5,000/- (Five thousand only)** by the petitioner in the account of concerned DLSA.

(Sunil Kumar Panwar, J)

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