

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85765 of 2023

Arising Out of PS. Case No.-413 Year-2023 Thana- Excise P.S. District- Khagaria

Shivam Singh S/o Punpun singh Resident of Village - Mohanpur, P.S.-
Muffasil, District- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Namita Sharma @ Mrs. Namita Kumari
Mr. Anshu Dhar Sharma
For the Opposite Party/s : Mr. Surendra Prasad Singh, APP

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 section 30(a) of the Bihar Prohibition and Excise Amendment Act.

3. As per persecution case, petitioner was apprehended on the spot and from a Pickup Van bearing Reg. No. BR51G-5492, total 432 liters English wine and from a Car bearing Reg. No. BR-01HH-9995, total 36 liters English wine has been recovered.

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 due to high handedness of police. He has no concern with the alleged recovery or vehicles in question. Nothing 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 he is languishing in judicial custody since 01.11.2023.

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 Special Excise Judge-II, Khagaria in connection with Excise Case No. 1058C3 of 2023.

(Sunil Kumar Panwar, J)

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