

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.460 of 2024

Arising Out of PS. Case No.-724 Year-2023 Thana- MAHUA District- Vaishali

Niraj Kumar Son Of Rampravesh Ray Resident Of Village- Madhopur, Ps-
Mahua, Distt- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anuj Kumar

For the Opposite Party/s : Mr.Kumar Ranjit Ranjan

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 Sections 414, 420/34 of the IPC
and Sections 30(a), 32(ii), 34(ii) and 41(i) of the Bihar
Prohibition and Excise Act.

3. As per prosecution case, there has been recovery of
total 4205.52 liters of illegal liquor from different vehicles.

4. It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has
committed no offence. He submitted that the petitioner has no
concern either with the seized vehicles or with the wine in
question. He submitted that petitioner is a labour and he was
called for unloading the truck without giving knowledge that



liquor is loaded in the truck. On the basis of suspicion, petitioner has been implicated in the present case. No incriminating article has been recovered from the conscious possession of the petitioner. 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 08.11.2023.

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 Exclusive Special Prohibition and Excise Court-2-cum-Additional District and Sessions Judge, Vaishali at Hajipur in connection with Mahua P.S. Case No. 724 of 2023.

(Sunil Kumar Panwar, J)

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