

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86558 of 2023

Arising Out of PS. Case No.-390 Year-2023 Thana- KORHA District- Katihar

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Arun Mahaldar SON OF LATE BANARSHI MAHALDAR RESIDENT OF
VILLAGE- MUSAPUR, WARD NO.- 2, P.S.- KORHA, DISTRICT-
KATIHAR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pawan Kumar Singh

For the Opposite Party/s : Mr.Mohammed Arif

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 12-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

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

3. As per FIR, prosecution case relates to recovery
of 25 liters country made liquor from bag of the petitioner.

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
present case merely on the basis of suspicion. The petitioner
has no concern with the alleged recovery nor bag in question
belongs to him and also no any incriminating article has been



recovered from his conscious possession. It is further submitted that Section 100 of the Cr.P.C. has not been followed while preparing the seizure list. The petitioner is languishing in judicial custody since 18.10.2023.

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

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as judicial custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Korha P.S. Case No. 390 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 District and Sessions Judge-cum Exclusive Excise Judge Court-II, Katihar.

(Sunil Kumar Panwar, J)

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