

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2510 of 2024

Arising Out of PS. Case No.-323 Year-2023 Thana- ROH District- Nawada

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MOHIT KUMAR SON OF RAMASHISH SHARMA RESIDENT OF
VILLAGE - MARCHOI, P.S. - SATGAWAN, DISTRICT - KODERMA,
JHARKHAND - 825132

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sahvind Kumar Sharma
For the Opposite Party/s : Mr.Rajesh Kumar

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 01-02-2024 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 total 332 liter beer and 78 liter English wine was recovered
from a tractor and a motorcycle.

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 confessional statement of
co-accused. The petitioner has no concern with the alleged



recovery and he was also not apprehended from the place of recovery. No any incriminating article has been recovered from conscious possession of the petitioner. It is further submitted the seizure list has not been prepared as per provision of law. The petitioner is languishing in judicial custody since 28.10.2023.

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 Roh P.S. Case No. 323 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 Exclusive Special Judge Excise Court-II, Nawada.

(Sunil Kumar Panwar, J)

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