

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.535 of 2024

Arising Out of PS. Case No.-280 Year-2023 Thana- RUNISAIDPUR District- Sitamarhi

Mukesh Sah son of Ram Lagan Sah @lagan Sah village Tilk Tajpur, Tole
Ram Nagar, P.S.-Runni Saidpur, District-Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar Mishra

For the Opposite Party/s : Mr.Gauri Shankar Gupta

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 30(a), 32(i)(ii), 36 and
41(i)(ii) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, there has been recovery of
total 2689.5 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. Petitioner was not apprehended on spot.
The name of the petitioner has come into light, on the basis of
disclosure by local *Choukidar*. He submitted that the petitioner
has no concern either with the seized vehicles or with the wine
in question. 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 11.10.2023.

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 Court concerned in connection with Runisaidpur P.S. Case No. 280 of 2023.

(Sunil Kumar Panwar, J)

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