

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.2884 of 2023**

Arising Out of PS. Case No.-438 Year-2022 Thana- JAGDISHPUR District- Bhagalpur

Nehal Kumar Son Of Ajay Kumar Kasera @ Ajay Prasad Kasera @ Ajay  
Kumar R/O Village- Asarganj, P.S.- Asarganj, District- Munger

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Jyoti Ranjan Jha

For the Opposite Party/s : Mr.Khurshid Anwar

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

3      25-04-2023                      Heard learned counsel for the petitioner and  
  
learned APP for the State.

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

Prosecution case relates to recovery of 115.200  
litres of I.MF.L. from a Bolero bearing registration  
number BR-10K-3839. Petitioner is alleged to be co-  
driver of the aforesaid vehicle and apprehended on spot.

It is submitted by learned counsel for the  
petitioner that petitioner is innocent and he has falsely  
been implicated in the present case. Petitioner has no



concern either with the alleged recovery or with the vehicle in question. Nothing incriminating has been recovered from his conscious possession. There is no independent witness of the alleged seizure. Moreover, the petitioner is languishing in judicial custody since 20.09.2022.

In contra, learned A.P.P. vehemently opposed the prayer of Bail and submitted that petitioner is the co-driver of the vehicle from which huge quantity of liquor has been recovered.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioners on bail. The above named petitioners are 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 Excise Judge I, Bhagalpur in connection with Special Case No. 2999 of 2022 (Jagdispur P.S. Case No. 438 of 2022).



The petitioner is directed to deposit a sum of Rs. 5,000/-(Rupees Five Thousands) in the concerned District Legal Services Authority.

The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of Rs. 5,000/-(Rupees Five Thousands) in District Legal Services Authority of concerned District.

(Sunil Kumar Panwar, J)

Nirajkrs/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

