

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4020 of 2023

Arising Out of PS. Case No.-178 Year-2021 Thana- BAUNSI District- Banka

Niraj Kumar S/O Laxmi Mukhiya R/O Village- Kachra, Ward No. 08, Ps-
Sour Bazar, Distt- Sahrsa.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Priya Ranjan

For the Opposite Party/s : Ms. Meena Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 03-04-2023 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), 32(2)/34 of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 3546
litres of Indian Made Foreign Liquor from a Truck
bearing registration number BR-1G-8143. Driver and
conductor of the alleged Truck were apprehended on
spot.

Learned counsel appearing on behalf of the
petitioner has submitted that petitioner is innocent and



has committed no offence. He has no concern either with the seized illicit liquor or with the Truck in question. His name has been transpired during the course of investigation of this case as sim which was used by one Jitendra Singh was registered in the name of the petitioner. Neither the petitioner was arrested on spot nor any incriminating article has been recovered from his conscious possession. Moreover, the petitioner is languishing in judicial custody since 10.10.2022. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

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

Having heard learned counsel for the parties and considering the facts and circumstances of the case, 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 Additional District and Sessions Judge II, Banka in connection with Special Excise No. 609(A)/2021 arising out of Bounsi P.S. Case No. 178(A) of 2021.

(Sunil Kumar Panwar, J)

nirajkrs/-

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