

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5138 of 2023

Arising Out of PS. Case No.-123 Year-2022 Thana- RAIL P.S. DARBHANGA
(JAYNAGAR) District- Madhubani

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Vinod Kumar Sah @ Vinod Gupta Son of Kisun Sah R/v- Bhelwatola, Ward No. - 06, P.S.- Jaynagar, Dist- Madhubani	 Petitioner
Versus	

The State of Bihar	... Opposite Party
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Appearance :

For the Petitioner	:	Mr.Bhavesh Kumar Sah, Advocate
For the Opposite Party/s	:	Ms/Mrs. Asha Devi, Addl Public Prosecutor

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 07-04-2023 Heard learned counsel for the petitioner and the State.

Petitioner apprehends arrest in a case registered for the offence punishable under Section 30a of the Bihar Prohibition and Excise Act.

Prosecution case is that 8.25 liters illicit liquor was recovered from the possession of co-accused Dev Kumar who disclosed that the same was to be sold to the petitioner.

Learned counsel appearing for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. Petitioner's name has figured during course of investigation in confessional statement of co-accused. No incriminating material has been recovered from the conscious possession of the petitioner and he is no way connected with the aforesaid recovery. Petitioner has got no criminal antecedent.

Considering the facts of the case, in the event of



arrest/surrender within six weeks from today, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Additional Sessions Judge II cum Special Judge, Excise Act, Madhubani in Rail Darbhanga (Jaynagar) Police Station Case No. 123 of 2022, GR No. 1187/2022, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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