

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6399 of 2023

Arising Out of PS. Case No.-429 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- West Champaran

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Suraj Kumar Son Of Rakesh Kumar R/V- Gudri Bazar Chowk, P.S- Town
Motihari, Dist- East Champaran Presently Residing At Ward No. 8, Near Arti
Hotel, Miscout, P.S- Town Motihari Dist- East Champaran

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vishwajeet Kumar Mishra

For the Opposite Party/s : Mr.Sangeeta Sharma

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 01-05-2023 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 Section
30(a), 56(b) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 14.4
litres of Indian Made Foreign liquor kept in sack on a
motorcycle bearing Reg. No. BR-05N-5198. Petitioner is
alleged to be driver of the aforesaid motorcycle.

It is submitted by learned counsel for the
petitioner that petitioner is innocent and he has falsely



been implicated in the present case. Nothing incriminating has been recovered from the conscious possession of the petitioner. Petitioner has no concern with the alleged recovery. Moreover, the petitioner is languishing in judicial custody since 04.10.2022.

In contra, learned A.P.P. vehemently opposed the prayer of Bail and submitted that petitioner was the driver of motorcycle from which liquor has been seized.

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 Judge, Excise, Bettiah, West Champaran in connection with P.S. Bettiah Excise Case No. 429 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/-

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