

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7092 of 2023

Arising Out of PS. Case No.-211 Year-2021 Thana- GOH District- Aurangabad

SUNIL KUMAR Son of Late Sheo Yadav R/O Village - Sarshol, P.S.- Goh,
District - Aurangabad, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 11-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

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

The prosecution story, in brief, is that after getting secret information about illicit liquor the police personnel reached at Punpun river. After seeing police party, the accused persons fled away. On search, total 2000 liters Java Mahua was recovered which was destroyed then and 10 liters Mahua liquor was also recovered.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this present case. A



statement has been made in para-3 of the petition that the petitioner has got no criminal antecedent. Petitioner has no concern with the alleged recovery of illicit liquor or with the place of occurrence. Neither the petitioner was arrested on spot nor any any incriminating article has been recovered from his conscious possession. Moreover, the petitioner is languishing in judicial custody since 16.11.2022.

Learned APP appearing for the State has vehemently 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 released on bail in connection with Goh P.S. Case No. 211 of 2021 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise-II, Aurangabad.

(Sunil Kumar Panwar, J)

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