

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4934 of 2023

Arising Out of PS. Case No.-493 Year-2022 Thana- RAJAON District- Banka

=====

SUBEN KUMAR @ SUBAIN KUMAR S/O NARAYAN MEHTA Resident
of Village- Mokama (Mokma), P.S.- Basanhi (Basnai), District- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam

For the Opposite Party/s : Mr.Parmanand Prasad

=====

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 06-04-2023 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 section 30(a) of the Bihar Prohibition and Excise Act.

The prosecution story, in brief, is that the police party reached at Kotwali Chauk after getting secret information about illicit liquor then the accused persons tried to flee away but one of them was arrested with vehicle. Upon search, 101.25 liters foreign liquor was recovered the vehicle.

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 and the vehicle in question alleged to be driven by co-accused Prayag Kumar. It is further submitted that nothing incriminating article has been recovered from his conscious possession. Moreover, The petitioner is languishing in judicial custody since 23.10.2022.

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 as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Rajoun (Nawada OP) P.S. Case No. 493 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-II, Banka.

(Sunil Kumar Panwar, J)

Amandeep/-

U		T	
---	--	---	--

