

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4880 of 2023

Arising Out of PS. Case No.-418 Year-2022 Thana- MAIRWAN District- Siwan

SHIVAM SINGH S/O NAWAB SINGH Resident of Village- Baprola, Bihar
Das Garden, Gali No.- 27, P.S.- Nazafgarh, District- Delhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumari Anupam

For the Opposite Party/s : Mr.Upendra Kumar

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 prayed for regular bail in connection
with Mairwa P.S. Case no. 418 of 2022 instituted for the
offence under Section 30(a) of the Bihar Prohibition and Excise
Act.

Prosecution case relates to recovery of total 322.5
liters India Made Foreign Liquor from a vehicle bearing
registration no. UP14-BU-6227 which is alleged to be driven
by the petitioner at the time of occurrence.

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.



Petitioner has no concern with the alleged recovery of illicit liquor or with the vehicle in question. No any incriminating article has been recovered from his conscious possession. A statement has been made in para-3 of the petition that the petitioner has got no criminal antecedent. 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 and submitted that the petitioner was arrested with the said vehicle which was being driven by him.

The petitioner is directed to deposit a sum of Rs 20,000/- (Twenty Thousand) in the District Legal Services Authority of concerned District.

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 Mairwa P.S. Case No. 418 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 Exclusive Special Excise Court No.1, Siwan.

The bail bonds of the petitioner shall be accepted by



the learned court below on showing the receipt of deposit of
Rs. 20,000/- (Rs. Twenty thousand) by the petitioner in the
account of the concerned DLSA.

(Sunil Kumar Panwar, J)

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