

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6379 of 2023

Arising Out of PS. Case No.-14 Year-2020 Thana- GOVINDPUR District- Nawada

KAILASH SAO @ KAILASH SAW S/o Late Nako Sao R/o Village- Jhariya,
P.S.- Jhariya, Distt- Dhanbad (Jharkhand).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar

For the Opposite Party/s : Mr. Nand Kumar

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 prayed for regular bail in connection with Govindpur P.S. Case no. 14 of 2020 instituted for the offence under Section 30(a) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of total 315 liters Haryana made liquor from a tempo bearing Registration no. JH10AX-8094 and the petitioner is said to be owner of the seized 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. Petitioner has no concern with the alleged recovery or with the



co-accused. Neither the petitioner was arrested on spot nor any incriminating article has been recovered from his conscious possession. Moreover the petitioner is languishing in judicial custody since 2.12.2022.

Learned APP appearing for the State has vehemently opposed the prayer of Bail and submitted that the petitioner is owner of the seized vehicle from where the illicit liquor has been recovered.

The petitioner is directed to deposit a sum of Rs 10,000/- (Ten 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 Govindpur P.S. Case No. 14 of 2020 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 Judge 1st Nawada. .

The bail bonds of the petitioner shall be accepted by the learned court below on showing the receipt of deposit of Rs. 10,000/- (Rs. Ten thousand) by the petitioner in the account of



the concerned DLSA (District Legal Services Authority).

(Sunil Kumar Panwar, J)

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