

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6220 of 2023

Arising Out of PS. Case No.-401 Year-2022 Thana- BAIKUNTHPUR District- Gopalganj

MANOJ KUMAR @ MANOJ PRASAD S/O LATE AMBIKA PRASAD
R/v- Karmsila, P.O.- Rajapatti, P.S.- Baikunthpur, District- Gopalganj

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Naresh Prasad

For the Opposite Party/s : Mr.Kanhaiya Kishore (App.100)

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 03-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case instituted for the offence under Section 30(a) of the Bihar Prohibition and Excise Act.

As per prosecution case, there has been recovery of 215 liters of illegal spirit from the field, which belongs to the petitioner.

It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. He has committed no offence. The petitioner has no concern with the seized spirit. He submitted that no incriminating article has recovered from the conscious possession of the petitioner. The name of the petitioner has come into light, on the basis of



confessional statement of one *Chaukidar*, which has got no evidentiary value in the eyes of law. Petitioner has got no criminal antecedent as stated in para-3 of the bail petition. He is languishing in judicial custody since 20.12.2022.

The application for bail is opposed by learned APP for the State.

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 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 Additional Sessions Judge-II-cum-Spl. Judge Excise, Court No. 1, Gopalganj in connection with Baikunthpur P.S. Case No. 401 of 2022.

(Sunil Kumar Panwar, J)

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