

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11085 of 2023

Arising Out of PS. Case No.-528 Year-2022 Thana- PHULWARIYA District- Gopalganj

RAMESH KUMAR @ RAMESH KUMAR ARORA S/O LATE
HARICHANDRA Resident of Village- Ward No.- 2, Amar Colony Chack
3STR Dharshana, P.S.- Dharshana, District- Ganganagar, State Rajasthan.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Baijnath Sah

For the Opposite Party/s : Mr. Asha Kumari

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 04-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner prayed for regular bail in connection
with Phulwariya P.S. Case no. 528 of 2022 instituted for the
offence under Sections 30(a), 41(1) of the Bihar Prohibition and
Excise Act.

Prosecution case relates to recovery of a huge quantity
of 3357 liters of illicit foreign liquor from the truck bearing
Registration no. GT34T-2143 and the petitioner is alleged to be
driver of the said vehicle who tried to flee away but police party
apprehended him on spot.

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. He has got no criminal antecedent. Petitioner has no concern with the alleged recovery of illicit liquor. No any incriminating article has been recovered from his possession. It is further submitted that the petitioner is languishing in judicial custody since 28.12.2022.

Learned APP appearing for the State has vehemently opposed the prayer of Bail and submitted that the petitioner was apprehended on spot with the said truck from where the illicit liquor has been recovered.

The petitioner is directed to deposit a sum of Rs 60,000/- (Sixty 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 Phulwariya P.S. Case No. 528 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 ADJ-II-cum-Special Excise Judge Court No.-1, Gopalganj.

The bail bonds of the petitioner shall be accepted by



the learned court below on showing the receipt of deposit of Rs.
60,000/- (Rs. Sixty thousand) by the petitioner in the account of
the concerned DLSA.

(Sunil Kumar Panwar, J)

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