

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18032 of 2023

Arising Out of PS. Case No.-481 Year-2021 Thana- EKMA District- Saran

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TARKESHWAR PRASAD Son of Late Chandrika Sahni R/v- Chainpur, P.S.-
Chainpur, Dist- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Awadhesh Kumar Singh

For the Opposite Party/s : Mr.Ahmad Ali

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 13-07-2023 Learned counsel for the petitioner is permitted to

remove the defect(s) as pointed out by the office in course of the

day.

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 Sections 30(a), 41(1)(2) of the
Bihar Prohibition and Excise Act.

As per prosecution case, there has been recovery of
150 liters of illegal country-made liquor from motorcycle,
which was kept in two plastic bags. It is further alleged that the
petitioner and other co-accused have engaged in the business of
illicit liquor.

It is submitted by learned counsel for the petitioner



that petitioner has been falsely implicated in this case. He has committed no offence. Petitioner has not apprehended on spot. Petitioner has no concern either with the seized vehicle or with the wine in question. He submitted that other co-accused, who apprehended on spot and on his confessional statement the name of the petitioner has come into light. No incriminating article has been recovered from the conscious possession of the petitioner. He is languishing in judicial custody since 22.10.2022.

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 Court below in connection with Ekma P.S. Case No. 481 of 2021.

(Sunil Kumar Panwar, J)

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