

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9110 of 2023

Arising Out of PS. Case No.-454 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Sitamarhi

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Guddu Kumar Son Of Kunji Lal Yadav R/V- Sirsiya, Ward No. 1, P.S.- Bela,
Dist- Sitamarhi

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Santosh Kumar
For the Opposite Party/s : Mr.Indu Kumari Srivastava

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 18-04-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has prayed for bail in a case

registered for the offence punishable under sections

30(a), 32(3) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 90 litres

of Nepali Saufi liquor from a motorcycle bearing Reg.

No. BR-06AA-5056. The petitioner was driving the

aforesaid motorcycle.

It is submitted by learned counsel for the

petitioner that petitioner is innocent and he has falsely



been implicated in the present case. Nothing incriminating has been recovered from the conscious possession of the petitioner. There is no independent witness of the alleged seizure. Petitioner has no concern with the alleged recovery. Moreover, the petitioner is languishing in judicial custody since 24.10.2022. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

In contra, learned A.P.P. vehemently opposed the prayer of bail and submitted that petitioner was driving the motorcycle from which illicit liquor was recovered.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioners 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 Special Judge Exclusive Special Excise Court No. II, Sitamarhi in connection with



Prohibition P.S. Sitamarhi Case No. 454 of 2022.

The petitioner is directed to deposit a sum of
Rs. 10,000/-(Rupees Ten Thousands) in the concerned
District Legal Services Authority.

The bail bond of the petitioner shall be
accepted by the learned Court below on showing receipt
of deposit of Rs. 10,000/-(Rupees Ten Thousands) in
District Legal Services Authority of concerned District.

(Sunil Kumar Panwar, J)

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