

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7461 of 2023

Arising Out of PS. Case No.-72 Year-2020 Thana- SARAIYA District- Muzaffarpur

Pramod Kumar Son Of Vimal Ray R/O Village- Gobindpur, P.S.- Saraiya
(Jaitpur O.P.), District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Pandey

For the Opposite Party/s : Mr. Anand Kishore Choudhary

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 02-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 272, 273/34 of the IPC and section 30(a) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of total 691.20 liters of foreign liquor from three different vehicles and the petitioner is said to be fled away from the place of occurrence.

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. A statement has been made in para-3 of the petition that the petitioner has got no criminal antecedent. Petitioner has no



concern with the alleged recovery of illicit liquor. Neither the petitioner was arrested on spot any incriminating article has been recovered from conscious his possession rather his name has been transpired in this case on the basis of confession made by co-accused namely, Vijay Rai who was apprehended on spot. Moreover, the petitioner is languishing in judicial custody since 30.8.2022.

Learned APP appearing for the State has vehemently opposed the prayer of Bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Saraiya (Jaitpur O.P) P.S. Case No. 72 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 Special Judge Excise-II, Muzaffarpur.

(Sunil Kumar Panwar, J)

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