

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8000 of 2023**

Arising Out of PS. Case No.-14 Year-2023 Thana- GOVERNMENT OFFICIAL COMP.
District- Aurangabad

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SUNIL KUMAR S/O ARJUN YADAV R/v- Dhabi Par, P.S.- Aurangabad
Mufassil, District- Aurangabad (Bihar)

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Aman Vishal

For the Opposite Party/s : Mr. Surendra Kumar

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**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

2 12-04-2023 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 section 30(a) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of total 544.32 liters illicit country made liquor from a bolero vehicle bearing Registration No. BR01-PB-5338 which is allegedly driven by co-accused Vishwaranjan Kumar and this petitioner sat in the said vehicle.

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 and he is neither driver nor owner of the said vehicle. No any incriminating article has been recovered from conscious possession of the petitioner. It is further submitted that the seizure list witness are police official not a single independent witness which violates section 100 of Cr.P.C. Moreover, the petitioner is languishing in judicial custody since 6.1.2023.

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, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Excise P.S. Case No. 14 of 2023 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, Aurangabad (Bihar).

(Sunil Kumar Panwar, J)

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