

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12232 of 2023

Arising Out of PS. Case No.-307 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Banka

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RAJA KUMAR Son of Ramjatan Singh Resident of Village - Tetra Badh
Chandrapura, P.S.- Gangaur, District - Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satya Prakash Parasar
For the Opposite Party/s : Mr. Ramesh Chandra

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 24-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner prayed for regular bail in connection
with Excise P.S. Case no. 307 of 2022 instituted for the offence
under Section 30(a) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of total quantity
of 169.89 liters of illicit foreign liquor from a tempo and the
petitioner is said to be driver of the seized vehicle at the time of
his apprehension.

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 is alleged to be driver of the said vehicle and he has no concern with the recovery of illicit liquor. Nothing incriminating article has been recovered from his conscious possession. Moreover, the petitioner is languishing in judicial custody since 14.12.2022.

Learned APP appearing for the State has vehemently opposed the prayer of Bail and submitted that the petitioner was arrested on spot with the seized vehicle from where the recovery of liquor has been made.

The petitioner is directed to deposit a sum of Rs 10,000/- (Ten 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 Excise P.S. Case No. 307 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 Additional Sessions Judge-V, Banka.

The bail bonds of the petitioner shall be accepted by the learned court below on showing the receipt of deposit of Rs.



10,000/- (Rs. Ten thousand) by the petitioner in the account of
the concerned DLSA.

(Sunil Kumar Panwar, J)

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