

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8544 of 2023

Arising Out of PS. Case No.-9 Year-2023 Thana- PATNA CITY CHOWK District- Patna

PINTU KUMAR S/O Bachcha Yadav @ Bachcha Ram R/O Village- Kila
Road, P.S- Chowk, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jay Ram Prasad

For the Opposite Party/s : Mr. Ahmad Ali

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 13-04-2023 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.

The prosecution story, in brief, is that the police party reached behind Kilaghat G.R. Infra Company after getting secret information then the accused persons tried to flee away but one of them was arrested on spot who disclosed his name as this petitioner. Upon search, total 68 liters illicit liquor was recovered from 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.



Petitioner has no concern with the alleged recovery of illicit liquor or with the place of occurrence. No any incriminating article has been recovered from conscious possession of the petitioner. It is further submitted that the seizure list witness are police officials not a single independent witness which violates the provision of Cr.P.C. Moreover, the petitioner is languishing in judicial custody since 9.1.2023.

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 Chowk P.S. Case No. 9 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 Exclusive Special Judge Excise, Patna City.

(Sunil Kumar Panwar, J)

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