

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8512 of 2023

Arising Out of PS. Case No.-1343 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Purnia

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Md. Alisher Son Of Md. Shamsher R/O Village- Aazad Colony, Dalkola,
Ward No.11, P.S.- Dalkola, District- Uttar Dinajpur (West Bengal)

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amit Kumar Anand
For the Opposite Party/s : Mr. Rajendra Prasad Nat

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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 prayed for regular bail in connection
with Excise P.S. Case no. 1343 of 2022 instituted for the
offence under Section 30(a) of the Bihar Prohibition and
Excise Act.

Prosecution case relates to recovery of total 220.200
liters illicit liquor from a tempo vehicle bearing Registration
no. BR-37P-0784 and the petitioner is said to be driver of 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 nothing incriminating article has been recovered from his conscious possession. Moreover, the petitioner is languishing in judicial custody since 20.12.2022.

Learned APP appearing for the State has vehemently opposed the prayer of Bail and submitted that the petitioner is driver of the alleged vehicle from where the recovery has been made and he is said to be driver of the vehicle in question.

The petitioner is directed to deposit a sum of Rs 20,000/- (Twenty 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. 1343 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 Exclusive Special Excise Judge Court No.2, Purnea.

The bail bonds of the petitioner shall be accepted by



the learned court below on showing the receipt of deposit of Rs.
20,000/- (Rs. Twenty thousand) by the petitioner in the account
of the concerned DLSA.

(Sunil Kumar Panwar, J)

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