

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9430 of 2023

Arising Out of PS. Case No.-273 Year-2022 Thana- RAGHUNATHPUR District- Siwan

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DINESH BIN S/O RAJARAM BIN Resident of village- Shitalpur, P.S.-
Raghunathpur, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Yogesh Kumar
For the Opposite Party/s : Mr.Vinod Shanker Modi

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 18-04-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has prayed for bail in a case

registered for the offence punishable under sections

30(a) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 225 litres

of country made liquor from side of road nearby the

garden of co-accused Lalan Bin.

Learned counsel appearing on behalf of the

petitioner has submitted that petitioner is innocent and



has committed no offence. He has no concern with the alleged recovery or with the place of occurrence. The name of the petitioner has been disclosed in this case by the apprehended co-accused before the police, which has got no evidentiary value in the eye of law. Neither the petitioner was arrested on spot nor any incriminating article has been recovered from his conscious possession. He is languishing in judicial custody since 2.12.2022. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

Learned APP appearing for the State has 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 enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Special Judge



II(Excise), Siwan in connection with Raghunathpur P.S.
Case No. 273 of 2022.

(Sunil Kumar Panwar, J)

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