

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12151 of 2023

Arising Out of PS. Case No.-11 Year-2023 Thana- CHANDI District- Bhojpur

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Bhim Kumar S/O Sagar Paswan R/O Village- Khangaon, P.S- Chandi,
District- Bhojpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar Singh

For the Opposite Party/s : Mr.Sanjay Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 09-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has filed the instant application for grant of regular bail in connection with Chandi P.S. Case No. 11 of 2023 registered under section 30(a) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 50 liters of country made liquor from the motorcycle which was being driven by the petitioner and he was arrested by the police on spot.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case merely on suspicion. It is further submitted that nothing incriminating has been recovered



from the conscious possession of the petitioner and he has no concern with the seized illicit liquor. There is no independent witness of the seizure list. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 16.01.2023.

The application for bail is opposed by learned APP for the State and submitted that the petitioner has been arrested on spot with the said vehicle by the police where the recovery has been made.

The petitioner is directed to deposit a sum of Rs. 5,000/- (Rs. Five Thousand) in the District Legal Services Authority of the concerned District.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as the custody of the petitioner, the Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Chandi P.S. Case No. 11 of 2023 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No. 1st, Bhojpur, Arrah.



The bail bonds of the petitioner shall be accepted by the learned lower Court below on showing the receipt of deposit of Rs. 5,000/- (Rs. Five Thousand) by the petitioner in the account of concerned DLSA.

(Sunil Kumar Panwar, J)

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