

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12622 of 2023

Arising Out of PS. Case No.-498 Year-2022 Thana- SURSAND District- Sitamarhi

Shyam Kishore @ Shyam Kishore Kumar S/O Rambharosh Paswan Resident
Of Village- Lagma, P.S.- Dumra, District- Sitamarhi.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Krishna Murari

For the Opposite Party/s : Mr.Madhura Nand Jha

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 has prayed for bail in a case registered for the offence punishable under section 414 of Indian Penal code and Section 30(a) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 81 litres of Nepali liquor from a motorcycle. The petitioner and other co-accused person was alleged to be apprehended on the spot.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and he has falsely been implicated in the present case. He has no concern with the alleged recovery or with the motorcycle in question. Nothing incriminating article has been recovered



from the conscious possession of the petitioner. He is languishing in judicial custody since 06.10.2022. 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 Exclusive Special Excise Court No. II, Sitamarhi in connection with Sursand P.S. Case No. 498 of 2022.

(Sunil Kumar Panwar, J)

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