

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11866 of 2023

Arising Out of PS. Case No.-356 Year-2022 Thana- GURUA District- Gaya

SHANKAR SAO @ SHANKAR KUMAR @ SHANKAR KUMAR SAWA
Son of Balgovind Sao @ Balgovind Saw R/V- Chandi Asthan P.s- Gurua Dist-
Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Singh

For the Opposite Party/s : Mr.Md. Mushtaque Alam

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 05-05-2023 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 sections 30(a), 30(d)
of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of total 5500 kg
Mahua flower and 80 liters of Mahua liquor from a truck
bearing Registration no. NL01G-5783.

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. The
Petitioner has no concern with the alleged recovery or with the
vehicle in question. Neither the petitioner was arrested on spot



nor any incriminating article has been recovered from his conscious possession rather his name has come into light on the basis of confessional statement of co-accused namely, Sanjay Mandol who is already getting the privilege of bail granted by a co-ordinate Bench of this Court vide order 21.1.2023 passed in Cr. Misc. No. 65098 of 2022. It is further submitted that the petitioner is languishing in judicial custody since 17.1.2023.

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 Gurua P.S. Case No. 356 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 Court No.2, Gaya.

(Sunil Kumar Panwar, J)

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