

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11904 of 2023

Arising Out of PS. Case No.-577 Year-2022 Thana- MOHANIYA District- Kaimur (Bhabua)

BHUWNESH KUMAR Son of Jagtar Singh R/o Village - Melwan, P.S.-
Nangal, District - Rupnagar, Punjab.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kiran Kumari Sharma

For the Opposite Party/s : Mr.Pushpa Sinha. 1

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 14-03-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner prayed for regular bail in connection with Mohaniya P.S. Case no. 577 of 2022 instituted for the offence under Section 420 of the Indian Penal Code and Sections 30(a)/41(1) of the Bihar Prohibition and Excise Act.

As per allegation in FIR, while the informant along with police officials were doing checking of vehicle, intercepted a truck bearing Registration No. PB12M-9750. On search, 4545.36 liters of illicit liquor has been seized from the said truck thereafter the accused persons were arrested on spot.

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



alleged seized vehicle belong to the petitioner but he has no concern with the alleged recovery of illicit liquor. Nothing incriminating article has been recovered from conscious possession of the petitioner. A statement has been made in para-3 of the petition that the petitioner has got no criminal antecedent. He is languishing in judicial custody since 27.10.2022.

Learned APP appearing for the State has vehemently opposed the prayer of Bail and submitted that a huge quantity of illicit liquor has been recovered from the alleged vehicle which belongs to the petitioner.

The petitioner is directed to deposit a sum of Rs 50,000/- (Fifty 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 Mohaniya P.S. Case No. 577 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 Court of Additional Sessions Judge-IV-cum-Special Judge Excise, Kaimur at Bhabhua.



The bail bonds of the petitioner shall be accepted by the learned court below on showing receipt of deposit of Rs. 50,000/- (Rs. Fifty thousand) in the account of the concerned DLSA.

(Sunil Kumar Panwar, J)

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