

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14079 of 2023

Arising Out of PS. Case No.-458 Year-2020 Thana- GARKHA District- Saran

Nanki Saha @ Gopal Kumar Saha @ Gopal Saha S/O Late Doman Saha
Resident Of Village- Farsara, P.S.- Dalkhola, District- Uttar Dinajpur, (W.B.).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arjun Prasad

For the Opposite Party/s : Mr.Sangeeta Sharma

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 25-07-2023 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), 36, 41 of Bihar Prohibition and Excise Act.

As per prosecution case, it is a case of recovery of total 356.2 liters illegal liquor from a vehicle.

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 the basis of suspicion. Neither the petitioner was apprehended on the spot nor vehicle in question belongs to him. It is further submitted that nothing has been recovered from his



conscious possession. Moreover, the petitioner is languishing in judicial custody since 23.01.2023.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Garkha P.S. Case No. 458 of 2020 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Ist Exclusive Special Excise Saran at Chapra.

(Sunil Kumar Panwar, J)

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