

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13370 of 2023

Arising Out of PS. Case No.-639 Year-2022 Thana- KHAGARIA District- Khagaria

Ujjwal Singh @ Ujjwal Sinha S/O Khushru Singh Resident Of Village-
Kuchiyajot, P.S.- Fansibeba, District- Darjeeling (West Bengal).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhananjay Kumar Tiwary

For the Opposite Party/s : Mr.Abhay Kumar Roy

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 26-04-2023 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 Khagaria P.S. Case No. 639 of 2022 registered under section 30(a), 32, 36 and 41 of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 674.25 liters of country made liquor from the pickup Bolero which was being driven by this 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. It is further submitted that he has no concern with the seized illicit liquor. It is also



submitted that the petitioner is not the owner of the said vehicle. 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 04.07.2022.

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. 20,000/- (Rs. Twenty 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 Khagaria P.S. Case No. 639 of 2022 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 Judge-1st, Khagaria.

The bail bonds of the petitioner shall be accepted by



the learned lower Court below on showing the receipt of deposit
of Rs. 20,000/- (Rs. Twenty Thousand) by the petitioner in the
account of concerned DLSA.

(Sunil Kumar Panwar, J)

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