

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15432 of 2023

Arising Out of PS. Case No.-1032 Year-2022 Thana- SHERGHATI District- Gaya

Pradeep Kumar Jaisawal Son Of Badri Jaisawal R/V- Misirgonda, P.S- Gonda
Dist- Gonda Dist- Jharkhand

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pintu Kumar Patel

For the Opposite Party/s : Mr.Dr.Mrityunjaya Kr.Gautam

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 28-04-2023 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 section 272, 273, of the IPC and Section 30(a), 32(ii)(iii), 41(i)(ii) of Bihar Prohibition and Excise Amendment Act.

The prosecution story relates to recovery of total 1323 liters illicit foreign made liquor which was recovered from dala of a truck bearing Reg. No. BR21GB-9206. It is further alleged that cash and other articles also recovered from possession of co-accused persons and upon their confession name of the petitioner surfaced in this present case.

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 confessional statement of co-accused persons. Neither petitioner was arrested on the spot nor anything has been recovered from his conscious possession. It is further submitted that vehicle in question does not belong to the petitioner moreover he is languishing in judicial custody since 17.01.2023.

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 judicial custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Sherghati P.S. Case No. 1032 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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