

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14560 of 2023

Arising Out of PS. Case No.-40 Year-2023 Thana- SHEKHPURA District- Sheikhpura

Sanjay Sarkar S/O Late Dulal Sarkar Resident Of Village- Morabari, P.S.-
Bariyatu, District- Ranchi Jharkhand.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dr. Anjani Pd. Singh

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

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 27-04-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has prayed for bail in a case
registered for the offence punishable under sections
30(a), 41, 32 of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 94.5
litres of illicit liquor from a car bearing Reg. No. JH-
01AV-1600. The petitioner is alleged to be driver of the
aforesaid car.

It is submitted by learned counsel for the
petitioner that petitioner is innocent and he has falsely
been implicated in the present case. Nothing has been



recovered from the conscious possession of the petitioner. He has no concern with the seized liquor. Moreover, the Petitioner is languishing in judicial custody since 29.01.2023. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

In contra, learned A.P.P. appearing on behalf of State has vehemently opposed the prayer of bail and submitted that petitioner is the owner of vehicle from which illicit liquor has been seized.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period under custody, this court is inclined to enlarge the petitioner on bail. The above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned A.D.J II-cum-Exclusive Special Excise Judge, Sheikhpura/ concerned Court in connection with Sheikhpura P.S. Case No. 40 of 2023.



The petitioner is directed to deposit a sum of Rs. 10,000/-(Rupees Ten Thousands) in the concerned District Legal Services Authority.

The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of Rs. 10,000/-(Rupees Ten Thousands) in District Legal Services Authority of concerned District.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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