

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18572 of 2023**

Arising Out of PS. Case No.-37 Year-2023 Thana- ARA NAWADA District- Bhojpur

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KUNDAN KUMAR SON OF ANIL SAH R/O VILLAGE- SHRITOLA, P.S.-
ARA NAWADA, DISTRICT- BHOJPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Diwakar

For the Opposite Party/s : Mr. Gauri Shankar Gupta

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**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

3 17-05-2023 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 30(a) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 113.280 of illicit foreign liquor from a tempo and the petitioner is alleged to be apprehended 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. Petitioner is only passenger of the said tempo and he has no concern with the alleged recovery of illicit liquor or with the tempo in question. No any incriminating article has been



recovered from conscious possession of the petitioner. It is further submitted that the petitioner is languishing in judicial custody since 22.1.2023.

Learned APP appearing for the State has vehemently opposed the prayer of Bail.

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 Ara Nawada P.S. Case No. 37 of 2023 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 Judge-1st, Bhojpur at Ara/concerned Court.

(Sunil Kumar Panwar, J)

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