

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14500 of 2023

Arising Out of PS. Case No.-1041 Year-2022 Thana- MUFFASIL District- West Champaran

LAL BABU KUMAR S/o Kamal Sah R/o village- Purvi Kargahiya, Ward no.
9, P.S.- Bettiah (Muffasi), Distt- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Gupta

For the Opposite Party/s : Mr.Khurshid Anwar

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) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 77.700
litres of litres of I.M.F.L. from a motorcycle bearing
registration number BR-22E-9221. The petitioner is
alleged to be driver of the aforesaid motorcycle.

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



incriminating has been recovered from his conscious possession. Moreover, the petitioner is languishing in judicial custody since 07.12.2022. 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 vehemently opposed the prayer of Bail and submitted that liquor has been seized from the motorcycle which was being driven by the petitioner.

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 petitioners 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 Exclusive Special Judge, Excise, Bettiah, West Champaran in connection with Bettiah(Muffasil) P.S. Case No. 1041 of 2022.



The petitioner is directed to deposit a sum of Rs. 5,000/-(Rupees Five 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. 5,000/-(Rupees Five Thousands) in District Legal Services Authority of concerned District.

(Sunil Kumar Panwar, J)

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