

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13532 of 2023

Arising Out of PS. Case No.-356 Year-2021 Thana- BARAUNI District- Begusarai

Gulshan Kumar Rai @ Gulshan Kumar Son Of Balmiki Rai R/V- Salempur
Tola, Baro, Ward No. 9, P.S- Barauni (Garhara) Dist- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prem Kumar

For the Opposite Party/s : Mr.Nand Kishore Prasad

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 Barauni (Garhara) P.S. Case No. 356 of 2021 registered under section 30(a) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 495.720 liters of incriminating wine from the tractor.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. The name of the petitioner came into light in this case on the basis of confessional statement of co-accused who was apprehended on spot by the police and stated that this petitioner also involved in illegal trade



of the liquor. It is further submitted that the petitioner has no concern either with the seized wine or with the vehicle in question. Nothing has been recovered from his conscious possession and also he was not apprehended on spot. It is also submitted that no any independent witness has come forward to support the prosecution case. Moreover, he is languishing in judicial custody since 09.01.2023.

The application for bail is opposed by learned APP for the State.

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 Barauni (Garhara) P.S. Case No. 356 of 2021 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 Excise Judge-1 Begusarai.

(Sunil Kumar Panwar, J)

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