

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15694 of 2023

Arising Out of PS. Case No.-8 Year-2023 Thana- BHORE District- Gopalganj

Manish Kumar S/O Munna Kumar @ Ray Munnar R/V- Tahal Tola Jilkabad,
P.S.- Garkha, District- Saran At Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kumar

For the Opposite Party/s : Mr.Raj Kishor Singh

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 prayed for regular bail in connection with Bhore P.S. Case no. 08 of 2023 instituted for the offence under Sections 30(a), 41(i) of the Bihar Prohibition and Excise Act.

As per FIR, prosecution case relates to recovery of total 130.32 liters illicit foreign liquor from a vehicle which is without number plate and the petitioner is said to be driver of the seized vehicle at the time of occurrence.

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. A statement has been made in para-3 of the petition that the



petitioner has got no criminal antecedent. Petitioner is alleged to be only driver of the said vehicle but has no concern with the alleged recovery of illicit liquor or with the vehicle in question. No any incriminating article has been recovered from his possession. The petitioner is languishing in judicial custody since 14.1.2023.

Learned APP appearing for the State has vehemently opposed the prayer of Bail and submitted that the petitioner has been apprehend on spot with the alleged vehicle from where the recovery of liquor has been made.

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

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 Bhore P.S. Case No. 08 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 Additional Sessions Judge IInd-cum-Special Judge Excise-I, Dist- Gopalganj.

The bail bonds of the petitioner shall be accepted by



the learned court below on showing the receipt of deposit of Rs.
5,000/- (Rs. Five thousand) by the petitioner in the account of
the concerned DLSA.

Amandeep/-

(Sunil Kumar Panwar, J)

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