

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17020 of 2023

Arising Out of PS. Case No.-707 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Sitamarhi

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Shashi Raj S/O Praveen Kumar R/O Village- Yadav Nagar (Riga Road), Ward
No. 02, P.S. And Distt- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vinod Kumar
For the Opposite Party/s : Mr.Brajendra Nath Pandey

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 29-04-2023 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)
and 32(3) of Bihar State Prohibition and Excise Act

The prosecution case relates to recovery of total
149.76 liters of foreign made liquor, which was recovered
from house of co-accused, namely, Dani Yadav. It is further
alleged that the petitioner was also apprehended on the spot.

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 petitioner has no



concern with the alleged recovery nor from the place of occurrence. He has got no criminal antecedent. It is further submitted that nothing has been recovered from his conscious possession rather alleged wine recovered from house of co-accused person. The petitioner is languishing in judicial custody since 20.12.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as judicial custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Sitamarhi Excise P.S. Case No. 707 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Prohibition and Excise Court-II, Sitamarhi.

(Sunil Kumar Panwar, J)

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