

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15604 of 2023

Arising Out of PS. Case No.-46 Year-2021 Thana- CHANDAN District- Banka

Girmal Kumar @ Nirmal Kumar @ Nirmal Yadav Son Of Bhola Prasad
Yadav R/V- Ariyaria, Ps- Parwatta, Dist- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hare Krishna Prasad

For the Opposite Party/s : Mr.Asha Kumari

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 has prayed for regular bail in a case registered for the offence punishable under sections 30(a) (g), 32(2) of the Bihar Prohibition and Excise Act.

The prosecution case relates to recovery of total 225 liters illicit foreign made liquor which was recovered from a car bearing Reg. No. JH-059-6156.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case merely on the basis of confessional statement of co-accused before the police which does not got evidentiary value in the eye of law. The



petitioner has no concern with the alleged recovery nor vehicle in question belongs to him. He has got no criminal antecedent. It is further submitted that no any incriminating article has been recovered from his conscious possession moreover, the petitioner is languishing in judicial custody since 27.11.2022.

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 Chandan P.S. Case No. 46(A) of 2021 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-II, Banka-cum-Special Excise.

(Sunil Kumar Panwar, J)

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