

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17754 of 2023

Arising Out of PS. Case No.-215 Year-2018 Thana- SOHSARAI District- Nalanda

Deem Singh @ Deem Sik @ Doma @ Dhananjay Prasad S/O Nandu Prasad
R/V- Pachasa, P.S.- Bhagan Bigha (RAHUI), District- Nalanda

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Kishor Prasad

For the Opposite Party/s : Mr.Pradeep Narain Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 12-05-2023 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), 38 of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 60 litres of illicit liquor from a car bearing Reg. No. BR-21G-1453. Two persons, namely, Anikesh Kumar and Sonu Kumar were apprehended. It is further alleged that 60 litres of illicit liquor has also been recovered at the instance of Anikesh Kumar, near the Kothari of Raj Kumar Mahto.



Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has no concern with the alleged recovery or with the place of occurrence. The name of the petitioner has been disclosed in this case by the apprehended co-accused before the police, which has got no evidentiary value in the eye of law. Neither the petitioner was arrested on spot nor any incriminating article has been recovered from his conscious possession. Moreover, the petitioner suo-motto surrendered on 05.01.2023.

Learned APP appearing for the State has opposed the prayer of Bail.

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 petitioner on bail. The above named petitioner is 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 Additional Sessions Judge IVth-cum-
Exclusive Special Court (Excise) No. 2, Nalanda,
Biharsharif in connection with Sohsarai P.S. Case No.
215 of 2018.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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