

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19513 of 2023

Arising Out of PS. Case No.-195 Year-2020 Thana- SALAKHUA District- Saharsa

Rajesh Kumar Badhawan @ Rajesh Kr. Wadhawan Son Of Suresh Chandra
Badhawan R/O Village- Bhagat Mohalla, P.S.- Katrash, District- Dharbad,
State- Jharkhand

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Mishra

For the Opposite Party/s : Mr. Umeshanand Pandit

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 19-05-2023 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) of the
Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of total 514 liters
of illicit foreign liquor from a vehicle bearing Registration no.
JH10CA-5372 and the petitioner is alleged to be indulged in the
trade of liquor.

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.
Petitioner is nether owner nor driver of the seized vehicle and



he has also no concern with the alleged recovery of illicit liquor. Neither the petitioner was arrested on spot nor any incriminating article has been recovered from his conscious possession. It is further submitted that the petitioner is languishing in judicial custody since 16.10.2022.

Learned APP appearing for the State has vehemently 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 of custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Salkhua P.S. Case No. 195 of 2020 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special (Excise) Judge, Saharsa.

(Sunil Kumar Panwar, J)

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