

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19507 of 2023

Arising Out of PS. Case No.-113 Year-2021 Thana- PIRBAHOR District- Patna

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ASHOK RAI @ ASHOK PRASAD YADAV Son of Sri Govind Dev Rai R/o
Village - Sabalpur Chaharam, P.S.- Sonepur, District - Saran at Chapra, Bihar,
Pin - 841101.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashutosh Singh

For the Opposite Party/s : Mr.Kanhaiya Kishore(App100)

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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 207 liters
of IMFL from bank of Ganga ghat and the petitioner is said to
be involved in the illegal 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 on
the basis of disclosure made by local villagers. The place of
recovery is an open place and the petitioner has no concern with



the same as well as the alleged recovery of illicit liquor. Neither the petitioner was arrested on spot nor any incriminating article has been recovered from conscious possession of the petitioner. It is further submitted that the petitioner is languishing in judicial custody since 16.1.2023.

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, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with special Case No. 1835 of 2021 arising out of Pirbahore P.S. Case No. 113 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 Court of Special Judge Excise, Patna/ concerned Court.

(Sunil Kumar Panwar, J)

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