

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20163 of 2023

Arising Out of PS. Case No.-169 Year-2022 Thana- GAYA MUFASIL District- Gaya

Rohit Kumar Son Of Late Shankar Yadav R/O Mohalla- Sitakund
(SALEMPUR), P.S.- Mufassil, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sudhir Kumar Sinha

For the Opposite Party/s : Mr.Rabindra Kumar

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 prayed for regular bail in connection with Gaya Muffail P.S. Case no. 169 of 2022 instituted for the offence under Sections 30(a) of the Bihar Prohibition and Excise Act.

The prosecution case relates to recovery of 300 liter country made liquor from an Auto bearing Reg. No. BR02PA-1001.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. The petitioner is owner of the alleged vehicle due to which he has falsely been implicated



in this present case. Petitioner was not arrested on the spot and he has no concern with the alleged recovery nor any incriminating article has been recovered from his conscious possession. Similarly situated co-accused has already been granted bail by a coordinate Bench of this Court vide order dated 05.08.2022 passed in Cr. Misc. No. 27852 of 2022. It is further submitted that the petitioner is languishing in judicial custody since 27.01.2023.

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

The petitioner is directed to deposit a sum of Rs 10,000/- (Ten Thousand) in the District Legal Services Authority of concerned District.

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 Gaya Muffasil P.S. Case No. 169 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 Special



Excise Court No-01, Gaya.

The bail bonds of the petitioner shall be accepted by the learned court below on showing the receipt of deposit of Rs. 10,000/- (Rs. Ten thousand) by the petitioner in the account of the concerned DLSA.

(Sunil Kumar Panwar, J)

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