

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17507 of 2023

Arising Out of PS. Case No.-617 Year-2022 Thana- SURSAND District- Sitamarhi

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BHUNTUN KUMAR Son of Hajari Mandal @ Hajari Marar Resident of
Village - Shivaipatti, Ward No.- 10, P.S.- Bajpatti, District - Sitamarhi (Bihar).
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shankar Kumar
For the Opposite Party/s : Mr.Nagendra Prasad

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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 regular bail in a case registered for the offence punishable under section 414 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition & Excise Act.

Prosecution case relates to recovery of 216 illicit liquor from a motorcycle bearing Registration No. BR06AQ-4576 and the petitioner is said to be apprehend on spot with the seized vehicle.

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. A statement has been made in para-3 of the petition that the petitioner has got no criminal antecedent. Petitioner has no



concern with the alleged recovery of illicit liquor and so far as seized motorcycle is concerned, the same belongs to the petitioner. No any incriminating article has been recovered from conscious possession of the petitioner. Moreover, the petitioner is languishing in judicial custody since 26.11.2022.

Learned APP appearing for the State has vehemently opposed the prayer of Bail and submitted that the seized motorcycle belongs to the petitioner from where the illicit liquor was recovered.

The petitioner is directed to deposit a sum of Rs 5,000/- (Five 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, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Sursand P.S. Case No. 617 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.-II, Sitamarhi.

The bail bonds of the petitioner shall be accepted by the learned court below on showing the receipt of deposit of Rs.



5,000/- (Rs. Five thousand) by the petitioner in the account of
the concerned DLSA.

(Sunil Kumar Panwar, J)

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