

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18757 of 2023

Arising Out of PS. Case No.-66 Year-2023 Thana- PHULWARIYA District- Gopalganj

1. Pramod Tanti Son Of Irtilal Tanti Village - Sajuoar, P.S.- Bahera, Dist.- Darbhanga
2. Ajay Kumar Yadav Son Of Ramsagar Yadav Village - Karahari, P.S.- Bahera, Dist.- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sushil Kumar

For the Opposite Party/s : Mr.Damodar Prasad Tiwary

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 17-05-2023 Heard learned counsel for the petitioner and
learned APP for the State.

The petitioner prayed for regular bail in connection with Fulwariya P.S. Case no. 66 of 2023 instituted for the offence under Sections 420/34 of the IPC and Section 182(A)/177, 179 of the Motor Vehicle Act and Section 30(a) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 252 liters foreign made liquor from a Hundai car bearing Reg. No. DL4CND-4102.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has



committed no offence. The petitioner was driver of the alleged vehicle due to which he has falsely been implicated in this present case. Petitioner has no concern with the alleged recovery nor vehicle in question belongs to him. It is further submitted that nothing incriminating article has been recovered from his conscious possession. The petitioner is languishing in judicial custody since 20.02.2023.

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

The petitioner No-1, being driver of the seized vehicle, 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 Fulwariya P.S. Case no. 66 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the



satisfaction of learned A.D.J.-II-cum-Special Judge Excise Court No-1, Gopalganj.

The bail bonds of the petitioner No-1 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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