

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19951 of 2023

Arising Out of PS. Case No.-18 Year-2022 Thana- CHANDAN District- Banka

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DABLU SAH @ DABLU KUMAR SAH SON OF SHIV SAGAR SAH
RESIDENT OF VILLAGE - AKHTIYARPUR - RAJAURA, P.S. -
BEGUSARAI MUFFASIL, DISTT. - BEGUSARAI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shubhesh Pandey

For the Opposite Party/s : Mr.Narsingh Tanti

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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
instituted for the offence under Sections 30(a), 32(2), 36 and
41(1) of the Bihar Prohibition and Excise Act.

As per prosecution case, there has been recovery of
3960 liters of illegal foreign liquor from a Truck, Bearing No.
UP11BT-2994.

It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has
committed no offence. Petitioner has not apprehended on spot.
The name of the petitioner has come into light, on the basis of
confessional statement of co-accused Krishna Kumar, who
apprehended on spot, which has got no evidentiary value in the



eyes of law. He submitted that the petitioner has no concern either with the seized vehicle or with the liquor. He submitted that the other co-accused, who arrested on spot has already been granted bail by a Co-ordinate Bench vide order dated 29.07.2022 passed in Cr. Misc. No. 25524 of 2022. No incriminating article has recovered from the conscious possession of the petitioner. He is languishing in judicial custody since 27.01.2023.

The application for bail is opposed by learned APP for the State.

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 enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-II, Banka in connection with Chandan P.S. Case No. 18 of 2022.

(Sunil Kumar Panwar, J)

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