

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20850 of 2023

Arising Out of PS. Case No.-58 Year-2021 Thana- MALAYPUR District- Jamui

PRINCE KUMAR Son of Vinod Singh @ Binod Kumar Singh R/V and Post-Nimi, P.s- Sheikhopur Sarai, Dist- Sheikhpura 811103

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shilpi Keshri

For the Opposite Party/s : Mr.Md. Nazir Ansari

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 26-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in a case registered for the offence punishable under sections 272, 273/34 of the IPC and Sections 30(a), 36, 41(i) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 120 litres of IMFL from Swift Dezire and four persons were apprehended on spot who disclosed the name of the petitioner.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has no concern with the alleged recovery or with the vehicle in question. The name of the petitioner has been disclosed in this case by the apprehended co-accused before the



police, which has got no evidentiary value in the eye of law. Neither the petitioner was arrested on spot nor any incriminating article has been recovered from his conscious possession. He is languishing in judicial custody since 14.01.2023.

Learned APP appearing for the State has 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 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 Exclusive Excise Court-1, Jamui in connection with Malaypur P.S. Case No. 58 of 2021.

(Sunil Kumar Panwar, J)

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