

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 32802 of 2023**

Arising Out of PS. Case No.-69 Year-2021 Thana- KARAKAT District- Rohtas

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SHAMBHU SINGH son of Harigovind Singh @ Balmani Singh Village-
Sugibal Ps- Karakat Dist- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr Surendra Kumar Mishra, Advocate

For the Opposite Party/s : Mr Abhay Kumar, APP

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CORAM: HONOURABLE MR JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 **24-05-2023** Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned Additional Public Prosecutor (for brevity, **APP**) appearing for the State of Bihar.

The petitioner has preferred this application for grant of regular bail in connection with Karakat Police Station (for brevity, **PS**) Case No 69 of 2021 dated 16.04.2021 registered for the offence punishable under Sections 30 (a), 33, 36, 38 of the Bihar Prohibition and Excise Act.

As per the prosecution case, total 2000 litres of crude spirit was recovered from the pick up van.



Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner has two criminal cases, as stated in paragraph 3 of the bail petition. He is not named in the First Information Report. He is neither the driver nor the owner of the vehicle. Learned counsel has further submitted that the name of petitioner has transpired in the confessional statement of the co-accused, Dhiraj Kumar.

Learned APP has vehemently opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case, the period of custody as well as the nature of allegation against the petitioner, the petitioner above named is directed to be released on bail on his furnishing bonds of Rs 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of Exclusive Special Judge, Excise Court No I, Rohtas at Sasaram in Karakat PS Case No 69 of 2021 dated 16.04.2021.

This application stands allowed.

(Chandra Prakash Singh, J)

M.E.H./-

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