

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 32810 of 2023**

Arising Out of PS. Case No.-325 Year-2021 Thana- BIKRAM District- Patna

JAGBIR Son of Satpal Resident of Village- Mahmadpur Majra, PS- Beri
District- Jhajjar (Haryana)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr Dhananjay Kumar Tiwary, Advocate
For the Opposite Party/s : Mr Choubey Jawahar, APP

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 Special Excise Case No 8133 of 2021 arising out of Bikram Police Station (for brevity, **PS**) Case No 325 of 2021 dated 04.12.2021 registered for the offence punishable under Sections 30 (a), 32 (1) (3), 36, 41 (1) (ii) of the Bihar Prohibition and Excise Act.

As per the prosecution case, there is recovery of 2212



litres of illicit foreign liquor from a truck. The petitioner was owner of the truck but handed over the same to one Ravi Kumar through Power of Attorney.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner has no criminal case, as stated in paragraph 3 of the bail petition. He is in custody in this case since 27.03.2023.

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 Special Judge, Excise, Danapur, Patna in Special Excise Case No 8133 of 2021 arising out of Bikram PS Case No 325 of 2021 dated 04.12.2021.

This application stands allowed.

(Chandra Prakash Singh, J)

M.E.H./-

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