

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34993 of 2023**

Arising Out of PS. Case No.-3 Year-2023 Thana- SIWAN MUFFASIL District- Siwan

DIVESH SINGH Son of Dharmendra Singh R/o - Sagra, P.S.- Nautan, Distt.-
Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Saroj Kumar Choudhary

For the Opposite Party/s : Mr. Arun Kumar

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 25-05-2023 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 A.P.P
for the State.

The petitioner has preferred this application for grant of
regular bail in connection with Siwan Mufassil P.S. Case No. 3 of
2023 dated 03.01.2023 registered for the offences punishable u/s
30(a) of Bihar Prohibition and Excise Act.

As per the prosecution case, total 237.390 litres of Indian
made foreign liquor was recovered from the cars of the petitioner and
the co-accused persons and out of which only 34.560 litres of illicit
liquor was recovered from the car which was being driven by the
petitioner and all the accused persons were apprehended on the spot.



Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The seized vehicle does not belong to the petitioner. Nothing has been recovered from the conscious possession of the petitioner. Learned counsel has submitted that the petitioner has no concern with the alleged recovery. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 04.01.2023.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Siwan in connection with Siwan Mufassil P.S. Case No. 03 of 2023.

The application stands allowed.

(Chandra Prakash Singh, J)

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