

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43889 of 2023

Arising Out of PS. Case No.-111 Year-2023 Thana- DAUDNAGAR District- Aurangabad

ARJUN RAM S/O CHIMMA RAM R/O Village. Dudiyo Ka Tala, Sarli PS.
Sindri Dist. Barmer, Rajasthan

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vivek Kumar Sinha

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

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 16-10-2023 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner has filed the instant application for
grant of regular bail in connection with Daudnagar P.S. Case
No. 111 of 2023 registered under section 30(a), 32, 36, 41 of the
Bihar Prohibition and Excise Act.

3. Prosecution case relates to recovery of 2648.31
liters of illegal foreign made liquor from a truck and the
petitioner was also apprehended on the spot.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. The
petitioner was mere driver of the alleged vehicle and he was not
aware of the loaded liquor rather he has falsely been implicated
in this case. It is further submitted that nothing incriminating



has been recovered from the conscious possession of the petitioner and he has no concern with the seized illicit liquor. It is also submitted that the petitioner is not the owner of the said vehicle. The petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 27.02.2023.

5. The application for bail is opposed by learned APP for the State and submitted that the petitioner has been arrested on spot with the said vehicle by the police where the recovery has been made.

6. The petitioner is directed to deposit a sum of Rs. 20,000/- (Rs. Twenty Thousand) in the District Legal Services Authority of the concerned District.

7. Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as the custody of the petitioner, the Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Daudnagar P.S. Case No. 111 of 2023 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Excise Court-II Aurangabad.



8. The bail bonds of the petitioner shall be accepted by the learned lower Court below on showing the receipt of deposit of Rs. 20,000/- (Rs. Twenty Thousand) by the petitioner in the account of concerned DLSA.

(Sunil Kumar Panwar, J)

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