

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37915 of 2023

Arising Out of PS. Case No.-115 Year-2023 Thana- JAGDISHPUR District- Bhagalpur

Niranjan Kumar @ Dilkhush, Son Of Kesho Sharma, Resident Of Village-
Sumeri Tola, Ps- Bharatkhand, District- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Indeshwari Prasad Mandal,Advocate

For the Opposite Party/s : Mr.Anant Kumar 1,APP

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

ORAL ORDER

2 28-06-2023 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 Jagdishpur (By Pass) P.S. Case No. 115 of 2023 dated 05.03.2023 registered for the offences punishable u/s 30(a) of the Bihar Prohibition and Excise Act.

As per the prosecution case, total 758.520 litres of country made foreign liquor was recovered from the two pick-up vans. It is further alleged that the petitioner and the co-accused persons are engaged in business of illicit liquor.

Learned counsel for the petitioner has submitted that the



petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the possession of the petitioner. He has further submitted that the petitioner is the driver of the said vehicle and he has no knowledge to the alleged recovery because the petitioner was simply discharging his duties as per instruction of the vehicle owner. The petitioner has got no criminal antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 06.03.2023.

Learned A.P.P. for the State has vehemently opposed the prayer of 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, Bhagalpur in connection with Jagdishpur (By pass) P.S. Case No. 115 of 2023.

The application stands allowed.

(Chandra Prakash Singh, J)

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