

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38742 of 2023

Arising Out of PS. Case No.-19 Year-2023 Thana- GALGALIYA District- Kishanganj

SHAKTI KUMAR @ MONU S/O VIJAY SINGH R/O Village- Jaikona,
Laheriya Sarai Ward No. 03, PS. Bahadurpur, Dist.Darbhangha

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nagendra Dubey, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Pandey, APP

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

ORAL ORDER

2 05-07-2023 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 Special case No. 217 of 2023 arising out of Galgalia P.S. Case No. 19 of 2023 dated 03.04.2023 registered for the offences punishable u/s 30(a) of the Bihar Prohibition and Excise Act.

As per the prosecution case, total 388.800 litres of Indian made foreign liquor was recovered from a vehicle.

Learned counsel for the petitioner has submitted that



the petitioner is innocent and has falsely been implicated in this case. The petitioner is the driver of the said vehicle. The petitioner has no concern with the alleged recovery. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 04.04.2023.

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, Kishanganj, Bihar in connection with Special case No. 217 of 2023 arising out of Galgalia P.S. Case No. 19 of 2023.

The application stands allowed.

(Chandra Prakash Singh, J)

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