

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.38139 of 2023**

Arising Out of PS. Case No.-261 Year-2023 Thana- FATEHPUR District- Gaya

=====

Kundan Kumar S/O Harendra Vishwakarma R/O Village- Baigoun, Ps.  
Paraiya, Dist. Gaya

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr.Vinod Kumar

For the Opposite Party/s : Mr.Ram Sumiran Rai

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**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

2      14-07-2023                      Heard learned counsel for the petitioner and  
  
learned APP for the State.

The petitioner is languishing in custody in a  
  
case registered for the offences punishable under  
  
Sections 30(a) of the Bihar Prohibition & Excise Act.

There is recovery of 90 litres of illicit Indian  
  
made foreign liquor from a car driven by the petitioner.

It is submitted by learned counsel for the  
  
petitioner that petitioner is innocent and he has falsely  
  
been implicated in this case. Nothing has been recovered  
  
from the conscious possession of the petitioner. The  
  
petitioner has no concern with the illicit liquor. The



petitioner is languishing in custody since 09.04.2023. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

Considering the facts aforesaid and the period under custody, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousands) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-cum-Exclusive Special Excise Court No. 1, Gaya in connection with Fatehpur P.S. Case No. 261 of 2023.

(Sunil Kumar Panwar, J)

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