

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41774 of 2023

Arising Out of PS. Case No.-773 Year-2021 Thana- AGAMKUAN District- Patna

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Banta Seth @ Banta @ Mintoo S/O Manphool Singh R/O Village-
Mitathal,Ps. Gujarani, Dist. Bhiwani, (Hariyana)

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Kumari Anupam

For the Opposite Party/s : Mr.Asha Devi

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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 has prayed for regular bail in a case
registered for the offence punishable under sections **30(a)**,
41(I) Bihar Prohibition and Excise Act.

As per prosecution case, it is a case of recovery of
total 1275.5 liters illegal liquor from a truck bearing Reg.
No. WB781917.

Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He has
falsely been implicated in this case merely on the basis of
confessional statement of co-accused. The petitioner has no
concern with the alleged recovery. Neither he was



apprehended on the spot nor vehicle in question belongs to him. It is further submitted that nothing has been recovered from his conscious possession. Moreover, the petitioner is languishing in judicial custody since 09.05.2023.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Agamkuan P.S. Case No. 773 of 2021 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Court of Excise Patna City Patna.

(Sunil Kumar Panwar, J)

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