

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40264 of 2023**

Arising Out of PS. Case No.-114 Year-2021 Thana- RANIYATALAB District- Patna

BANTY RAI @ ABHISHEK KUMAR @ BUNTS Son of Rameshwar Dubay
@ Rameshwar Dubey Resident of mohalla - Dubay Tola, Madhubani, P.S. -
Sangrampur, Distt. - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Karandeep Kumar, Advocate

For the Opposite Party/s : Mr. Nirmal Kumar Sinha, APP

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

ORAL ORDER

2 24-07-2023 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 Excise Case No. 3773 of
2021 arising out of Rani Talab P.S. Case No. 114 of 2021 dated
23.06.2021 registered for the offences punishable u/ss 467, 468
and 420 read with section 34 of the IPC and section 30(a) of the
Bihar Prohibition and Excise Act.

As per the prosecution case, total 7200 litres of spirit
was recovered from a Truck.



Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The name of the petitioner has transpired on mere suspicion. The petitioner is neither the driver nor the owner of the said vehicle. The petitioner has no concern with alleged recovery. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has got one more criminal case as stated in para 3 of the bail petition. The petitioner is in custody since 16.04.2023.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner by submitting that the said contraband belongs to 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, Danapur in connection with Special Excise Case No. 3773 of 2021 arising out of Rani Talab P.S. Case No. 114 of 2021.

The application stands allowed.

(Chandra Prakash Singh, J)

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