

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40956 of 2023

Arising Out of PS. Case No.-377 Year-2023 Thana- BIHTA District- Patna

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Sunny Kumar Son Of Funu Chaudhary @ Funnu Choudhary Resident Of
Village - Dhanaut, P.S. - Rupaspur, Distt. - Patna, At Present Resident Of
Village - Kanhauli, P.S. - Bihta, Distt. - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Kundan Rathore@ Kundan Kumar

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

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

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

The petitioner has filed the instant application for
grant of regular bail in connection with Bihta P.S. Case No. 377
of 2023 registered under section 30(a) of the Bihar Prohibition
and Excise Act.

Prosecution case relates to recovery of 27 liters of
country made liquor from a Car bearing Registration No. BR-
01PE-1796 and this petitioner is said to be the driver of the said
vehicle.

Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He has
falsely been implicated in this case. It is further submitted that



nothing incriminating has been recovered from the conscious possession of the petitioner and he has no concern with the seized illicit liquor. It is also submitted that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 21.04.2023.

The application for bail is opposed by learned APP for the State and submitted that the petitioner has been arrested on spot with the said vehicle by the police where the recovery has been made.

The petitioner is directed to deposit a sum of Rs. 20,000/- (Rs. Twenty Thousand) in the District Legal Services Authority of the concerned District.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as the custody of the petitioner, the Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Bihta P.S. Case No. 377 of 2023 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Court of Special Excise Judge, Danapur.

The bail bonds of the petitioner shall be accepted by



the learned lower Court below on showing the receipt of deposit of Rs. 20,000/- (Rs. Twenty Thousand) by the petitioner in the account of concerned DLSA.

(Sunil Kumar Panwar, J)

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