

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41181 of 2023

Arising Out of PS. Case No.-950 Year-2023 Thana- GOVERNMENT OFFICIAL COMP.
District- Gaya

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Mahesh Kumar Son Of Tarengan Sao @ Taregan Sao Village Khizarsarai, Ps-
Khizarsarai, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar
For the Opposite Party/s : Mr. Akbar Ali

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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), 56(b)
of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of total 135 liters
of illicit foreign liquor from a tempo bearing Reg. no. BR02AA-
7402. The petitioner is said to be driver of the seized vehicle
who was apprehended on spot.

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no
offence. He has falsely been implicated in this present case. He
has got no criminal antecedent as stated in para-3 of the petition.



Petitioner is alleged to be driver of the said vehicle but he has no concern with the alleged recovery of illicit liquor. No any incriminating article has been recovered from conscious possession of the petitioner. Moreover, the petitioner is languishing in judicial custody since 23.5.2023.

Learned APP appearing for the State has vehemently opposed the prayer of Bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Excise P.S. Case No. 950 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Excise Court No.3, Gaya.

(Sunil Kumar Panwar, J)

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