

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41783 of 2023

Arising Out of PS. Case No.-340 Year-2023 Thana- KANTI District- Muzaffarpur

Prashant Kumar S/O Sanjay Kumar Singh Resident Of Village- Ratwara Ps
Bajpatti, District Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vikash Kumar Jha. Advocate

For the Opposite Party/s : Mr. Ahmad Ali, A.P.P.

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

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

2. The petitioner seeks bail in connection with Kanti
P.S. Case No. 340 of 2023 dated 08.05.2023, instituted for the
offence punishable under Sections 30(a), 32(i), (ii), 36, 41(i) of the
Bihar Prohibition and Excise(Amendment) Act.

3. The prosecution case, in short, is that on 08.05.2023,
informant received information that a bus bearing no. UP81 DT
2452 was stopped by an anti-social elements and on this
information, he along with police party reached at the place of
occurrence and found that the driver had stopped the bus and fled
away. On search, it was found that liquor was kept in the basement
of the bus. Total 1522.920 litres illicit foreign liquor was recovered
from the said bus. Four persons were arrested.



4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. Learned counsel for the petitioner submits that the petitioner is one of the passenger, who was traveling from Darbhanga to Sitamarhi. The petitioner is not the owner of the said bus. Learned counsel for the petitioner submits that allegations against the petitioner are false and baseless. Learned counsel for the petitioner further submits that nothing has been recovered from the possession of the petitioner. Lastly, it has been submitted that the petitioner is in custody since 09.05.2023 having no criminal antecedents. Charge-sheet has been submitted in the case.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Spl. Judge Excise II, Muzaffarpur in Kanti P.S. Case No. 340 of 2023.

(Khatim Reza, J)

premchand/-

U			
---	--	--	--

