

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.41557 of 2023**

Arising Out of PS. Case No.-293 Year-2021 Thana- PHULWARIYA District- Gopalganj

Devendra Sah S/O Prabhu Shah R/O Karariya Thakurai, P.S- Phulwariya,  
Distt.- Gopalganj.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Deepankar Raj  
For the Opposite Party/s : Mr.Sucheta Yadav

**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), (b) Bihar Prohibition and Excise Act.

As per prosecution case, it is a case of recovery of total 69.2 liters illegal liquor from a tempo.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. Neither the petitioner 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 09.06.2023.

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 Phulwariya P.S. Case No. 293 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 Additional Sessions Judge-II-cum Special Judge Excise-I, Gopalganj.

**(Sunil Kumar Panwar, J)**

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