

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.41586 of 2023**

Arising Out of PS. Case No.-97 Year-2023 Thana- KADAMKUAN District- Patna

Dev Kumar Son Of Sri Ganesh Ram Resident Of Kazipur, Road No.2, P.S. -  
Kadamkuan, District - Patna

... .. Petitioner/S

Versus

The State Of Bihar Bihar Patna

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Awadhesh Kumar

For the Opposite Party/s : Mr.Ramesh Chandra

**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)  
Bihar Prohibition and Excise Act.

As per prosecution case, the petitioner was  
apprehended on the spot and 80 liters country made liquor  
was recovered from two bags of the petitioner.

Learned counsel for the petitioner submits that the  
petitioner is innocent and has committed no offence. He has  
falsely been implicated in this case merely on the basis of  
suspicion. The petitioner has no concern with the alleged



recovery and nothing incriminating article has been recovered from his conscious possession rather it was recovered from a petrol pump. It is further submitted the petitioner is languishing in judicial custody since 20.02.2023.

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 Kadamkuan P.S. Case No. 97 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 Special Excise Court Patna.

**(Sunil Kumar Panwar, J)**

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