

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43297 of 2023

Arising Out of PS. Case No.-254 Year-2022 Thana- BAHADURPUR District- Patna

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BABALU PRASAD @ BABALU KUMAR @ KADAR KHAN SON OF
PRAMOD PRASAD VILLAGE NAND NAGAR COLONY, PS-
BAHADURPUR, DISTRICT- PATNA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Brij Bihari Tiwary

For the Opposite Party/s : Mr.Pradeep Narain Kumar

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 28-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
instituted for the offence under Section 30(a) of the Bihar
Prohibition and Excise (Amendment) Act.

3. As per prosecution case, there has been recovery of
32 liters of illegal country-made *Mahua* behind temple in Nand
Nagar Colony.

4. It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has
committed no offence. Petitioner has not apprehended on spot.
The name of the petitioner has come into light, on the basis of
confessional statement of other co-accused, who apprehended



on spot. He submitted that the petitioner has no concern with the seized liquor and the place of occurrence does not belongs to the petitioner. No incriminating article has recovered from the conscious possession of the petitioner. He is languishing in judicial custody since 14.02.2023.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Court below in connection with Bahadurpur P.S. Case No. 254 of 2022.

(Sunil Kumar Panwar, J)

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