

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44797 of 2023

Arising Out of PS. Case No.-246 Year-2023 Thana- BRAHMPUR District- Buxar

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ASHUTOSH KUMAR S/O ANIL KUMAR GUPTA R/O Village- Pakari Mor
(Ara), P.s- Nawada, Distt.- Bhojpur(Ara).

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anil Kumar

For the Opposite Party/s : Mr.Arun 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.

The petitioner has prayed for bail in a case registered
for the offence punishable under sections 30(a) of the Bihar
Prohibition and Excise Act.

Prosecution case relates to recovery of 44 litres of
illicit liquor from four wheeler and two persons including the
petitioner were arrested on spot.

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no
offence. He has got no criminal antecedent. He has no concern
with the alleged recovery or vehicle in question. He is neither
the driver nor the owner of the vehicle. Petitioner has taken lift
from the driver to reach Ara in the alleged Alto car. No any



incriminating article has been recovered from his conscious possession. He is languishing in judicial custody since 7.5.2023.

Learned APP appearing for the State has 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 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 Special Excise Court-2, Buxar in connection with Brahampur (Chakki) P.S. Case No. 246 of 2023.

(Sunil Kumar Panwar, J)

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