

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48538 of 2023

Arising Out of PS. Case No.-72 Year-2023 Thana- MEDNI CHAUKI District- Lakhisarai

PARMANAND KUMAR @ PARO S/O NATHUNI BIND @ NATHUNI
MAHTO R/O Village- Khawa, Bind Toli, P.S- Mednichowki, Distt.-
Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar

For the Opposite Party/s : Mr.Ram Priya Sharan Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 04-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
registered for the offence punishable under sections 30(a), 32(ii)
(iii) of the Bihar Prohibition and Excise Act.

3. As per FIR, prosecution case relates to recovery of
total 39.375 of illicit foreign liquor from a vehicle bearing
registration no. BR46B-7475 and the petitioner was said to be
driver who arrested on spot.

4. Learned counsel appearing on behalf of the
petitioner has submitted that petitioner is innocent and has
committed no offence. He has falsely been implicated in this
present case. Petitioner was only driver of the said vehicle but



he has no concern with the alleged recovery of illicit liquor or vehicle in question. No any incriminating article has been recovered from conscious possession of the petitioner. It is further submitted that the seizure list witness are police officials not a single independent witness which violates section 100 of Cr.P.C. The petitioner is languishing in judicial custody since 24.5.2023.

5. Learned APP appearing for the State has vehemently opposed the prayer of Bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody period 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 Mednichowki P.S. Case No. 72 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 Additional Sessions Judge-V-cum-Exclusive Special Court No.2, Excise Act, Lakhisarai.

(Sunil Kumar Panwar, J)

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