

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49330 of 2023

Arising Out of PS. Case No.-531 Year-2023 Thana- GOVERNMENT OFFICIAL COMP.
District- Banka

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Gour Raut @ Gaur Raut Son Of Basudev Raut Resident Of Village -
Chapudia, Police Station - Binda Payar, District- Jamtara (JHARKHAND)
... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Praveen Kumar

For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 11-08-2023 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 section 30(a) of the
Bihar Prohibition and Excise Act.

Prosecution case relates to recovery 1085.480 liters of
country made liquor from a bolero Pickup bearing Reg. No.
BR01GE1735 and this petitioner is as alleged said to be the
driver of the said vehicle.

Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He has
falsely been implicated in this case. It is further submitted that
co-accused Raghubir Kumar was the driver of the said vehicle
and this petitioner was co-passenger and had taken the lift from



the co-accused and was not aware that the illicit liquor was being kept in the said vehicle. It is also submitted that he has no concern with the seized illicit liquor. There is no independent witness of the seizure list which violates the provision of Section 100 Cr.P.C. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 04.06.2023.

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 Excise Banka P.S. Case No. 531 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 District and Sessions Judge-V, Banka.

(Sunil Kumar Panwar, J)

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