

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49406 of 2023

Arising Out of PS. Case No.-217 Year-2023 Thana- SIMRI District- Buxar

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GANESH PRASAD SON OF RAMA SHANKAR TURHA RESIDENT OF
VILLAGE - PURANA BHOJPUR, POLICE STATION - DUMRAON,
DISTRICT - BUXAR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Setu Prateek, Advocate

For the Opposite Party/s : Ms. Asha Devi, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 11-08-2023 Heard learned counsel appearing on behalf
of the parties.

2. The petitioner seeks bail in connection with
Simri (Dera) P.S. Case No. 217 of 2023 registered for the
offence under Section 30(a) of the Bihar Prohibition and Excise
Act, 2018.

3. The accused/petitioner is named in the F.I.R.
and is in custody since 26.06.2023.

4. The allegation against the petitioner is to be
engaged in illegal trade of illicit liquor, where, there is recovery
of total 65 litres of illicit liquor, out of which 20 litres of illicit
liquor recovered from this petitioner.

5. Learned counsel appearing on behalf of the



petitioner submitted that petitioner falsely implicated with present case, by his full brother, namely, Jitendra Kumar, in connivance with local excise police, out of property dispute, which is evident from the fact that he himself appears as a witness of seizure list. While concluding the argument, it is submitted that petitioner is a man of clean antecedent.

6. Learned APP appearing on behalf of the State, opposes the prayer of bail.

7. Considering the facts and circumstances as mentioned above and by taking note of the fact as seizure list appears disputed in terms of interested witnesses, where, petitioner is a man of clean antecedent and in custody since 26.06.2023, let the petitioner, above named, is directed to be released on bail in connection with Simri (Dera) P.S. Case No. 217 of 2023, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Excise Special Court No.2, Buxar/concerned court, subject to the condition as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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