

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54899 of 2023

Arising Out of PS. Case No.-155 Year-2023 Thana- KHAGAUL District- Patna

Raj Kumar Son Of Ram Kishor Prasad Resident Of Village- Chaprasi Flat,
L.B.S. Nagar, Phulwari Sharif, Ps- Phulwari Sharif, Distt- Patna, Permanent
Address- Dumra Cout, Ps- Dumra, Distt- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar

For the Opposite Party/s : Mr.Nagendra Prasad

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 30-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

1. The petitioner has prayed for regular bail in a case registered for the offence punishable under section 30(A) of the Bihar Prohibition & Excise Act.

2. Prosecution case relates to recovery of 428.10 illicit liquor from a vehicle bearing Registration No. UP42BB-2318 and the petitioner is said to be driver of the seized vehicle who was apprehended on spot.

3. 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. He has got no criminal antecedent as stated in



para-3 of the petition. Petitioner is only said to be driver of the vehicle but he has no concern with the alleged recovery illicit liquor. No any incriminating article has been recovered from his possession. Moreover, he is languishing in judicial custody since 11.4.2023.

4. Learned APP appearing for the State has vehemently opposed the prayer of Bail and submitted that the petitioner is apprehended on spot with the alleged recovery of illicit.

5. The petitioner, being driver of the seized vehicle is directed to deposit a sum of Rs 10,000/- (Ten Thousand) in the District Legal Services Authority of concerned District.

6. 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 released on bail in connection with Khagaul P.S. Case No. 155 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 special Excise Judge, Danapur.

7. The bail bonds of the petitioner shall be accepted by the learned court below on showing the receipt of deposit of



Rs. 10,000/- (Rs. Ten thousand) in the account of the concerned
DLSA.

(Sunil Kumar Panwar, J)

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