

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54397 of 2023

Arising Out of PS. Case No.-205 Year-2020 Thana- WARISNAGAR District- Samastipur

Sandeep Kumar S/O Kapildeo Ray @ Kapildev Ray R/O Village- Muktapur,
PS. Kalyanpur, Dist. Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijay Bhushan Prasad
For the Opposite Party/s : Mr.Veena Kumari Jaiswal

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 25-08-2023 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 Section 30(a) of the Bihar
Prohibition and Excise Act.

Prosecution case relates to recovery of 207 liters of
Indian made foreign liquor from Alto Car.

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 case. He has no
concern with the alleged recovery or with the vehicle in
question. The name of the petitioner has been disclosed in this
case by the apprehended co-accused Raja Babu, before the
police which has got no evidentiary value in the eye of law.



Neither the petitioner was arrested on spot nor any incriminating article has been recovered from his conscious possession. Similarly situated other accused person has already been enlarged on bail by another coordinate Bench of this Court vide order dated 27.01.2021 passed in Cr. Misc. No. 34817 of 2020. Petitioner is languishing in judicial custody since 22.07.2023.

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 Judge Excise-II, Samastipur in connection with Warisnagar P.S. Case No. 205 of 2020.

(Sunil Kumar Panwar, J)

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