

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56373 of 2023

Arising Out of PS. Case No.-77 Year-2018 Thana- HAYAGHAT District- Darbhanga

BALDEV SINGH son of kartar Singh Village- Baluana Tehsil Abohar Ps-
Fazila Dist-Fazilka Punjab

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sarfraz Ahmad

For the Opposite Party/s : Mr.Shailendra Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 20-09-2023 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 section 30(a) of the Bihar Prohibition & Excise Act.

3. Prosecution case relates to recovery of 3105 liters of illicit liquor from a Truck bearing Registration No. PB05P-8531 and the petitioner is said to be registered owner of the seized vehicle.

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. He has got no criminal antecedent as stated in para-3 of the bail petition. Petitioner has no concern with the



alleged recovery of illicit liquor. No any incriminating article has been recovered from his conscious possession. It is evident from para-6 of the petition that the petitioner had already sold the truck to one Bittu Kumar. Moreover, the petitioner is languishing in judicial custody since 10.4.2023.

5. Learned APP appearing for the State has vehemently opposed the prayer of Bail and submitted that the petitioner is registered owner of the seized vehicle.

6. The petitioner, being registered owner of the seized vehicle, is directed to deposit a sum of Rs 30,000/- (Thirty Thousand) in the District Legal Services Authority of concerned District.

7. 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 Hayaghat P.S. Case No. 77 of 2018 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge-I (Excise Act), Darbhanga.

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



Rs. 30,000/- (Rs. Thirty thousand) by the petitioner in the
account of the concerned DLSA.

(Sunil Kumar Panwar, J)

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