

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54665 of 2023

Arising Out of PS. Case No.-230 Year-2022 Thana- BAHADURPUR District- Patna

CHINTU KUMAR S/O LATE VIJAY PRASAD R/O VILLAGE- NAND
NAGAR COLONY, PS. BAHADURPUR, DIST. PATNA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajeev Kumar

For the Opposite Party/s : Mr.Sanjay Kumar Sharma

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 29-08-2023 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 15 litres liquor
from the possession of accused Monu Kumar, which was kept
in a plastic bag and he disclosed the name of the petitioner, who
managed to escape.

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no
offence. He has no concern with the alleged recovery or with the
apprehended accused. The name of the petitioner has been
disclosed in this case by the apprehended co-accused 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. He is languishing in judicial custody since 7.7.2023.

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 Excise Court of Excise, Patna City (Patna) in connection with Bahadurpur P.S. Case No. 230 of 2022.

(Sunil Kumar Panwar, J)

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