

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55439 of 2023

Arising Out of PS. Case No.-63 Year-2023 Thana- KHANPURA District- Samastipur

GURUDEV RAY son of Gaya Prasad Ray Village- Madhuwan Ps- Khanpur
Dist- Samastipur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rambabu Yadav

For the Opposite Party/s : Mr.Sangeeta Sharma

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.

The petitioner has prayed for bail in a case registered
for the offence punishable under sections 30(a), 36, 41(i)(ii) of
the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 3254.400
litres of illicit liquor from a truck bearing Reg No.
MP09HG5144 and one one accused, namely Anoop Singh was
arrested on spot and three accused persons including the
petitioner 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
vehicle in question. 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 23.07.2023.

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 Excise Court-I, Samastipur in connection with Khanpur P.S. Case No. 63 of 2023.

(Sunil Kumar Panwar, J)

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