

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55929 of 2023

Arising Out of PS. Case No.-262 Year-2023 Thana- PHULWARIYA District- Gopalganj

Dinesh Raw @ Dinesh Rao Son Of Manager Rao @ Mainejar Rao Resident
Of Village - Parsauni, P.S. - Chaura Khas, District - Kushinagar, Utter Pradesh

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shubhesh Pandey

For the Opposite Party/s : Mr.Parmanand Prasad

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 05-09-2023 Heard learned counsel for the petitioner and
learned APP for the State.

The petitioner has prayed for regular bail in a case
registered for the offence punishable under sections 30(a)
Bihar Prohibition and Excise Act.

As per prosecution case, the co-accused persons
were apprehended on the spot along with a pickup van and
from the alleged vehicle total 490.440 liters illegal liquor of
different brands was recovered.

Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He has
falsely been implicated in this case merely on the basis of
confessional statement of co-accused. Neither the petitioner



was apprehended on the spot nor vehicle in question belongs to him. It is further submitted that nothing has been recovered from his conscious possession. The petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 24.07.2023.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Phulwariya P.S. Case No. 262 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 concerned Court.

(Sunil Kumar Panwar, J)

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