

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55881 of 2023

Arising Out of PS. Case No.-350 Year-2023 Thana- GAURICHAK District- Patna

Gorkha Ram S/O Mukna Ram R/O Village- Poushal, Ps. Bijrad, Dist. Barmer
(Rajasthan)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raghwendra Pratap Singh

For the Opposite Party/s : Mr.Bhanu Pratap Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 31-08-2023 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), 32(2) (3), 36, 41(1)(2) of the Bihar Prohibition & Excise Act.

Prosecution case relates to recovery of total 2664 illicit liquor from a container bearing Registration No. HR55AK-7377 which was being driven by the petitioner and the petitioner was apprehended on spot.

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 is only driver of the seized vehicle but he has



no concern with the alleged recovery of illicit liquor. No any incriminating article has been recovered from his possession. It is further submitted that the petitioner is languishing in judicial custody since 21.6.2023.

Learned APP appearing for the State has vehemently opposed the prayer of Bail and submitted that the petitioner is driver of the seized vehicle who was apprehended on spot with the alleged recovery of illicit.

The petitioner, being driver of the seized vehicle, is directed to deposit a sum of Rs 40,000/- (Forty Thousand) in the District Legal Services Authority of concerned District.

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 Gaurichak P.S. Case No. 350 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 Special Judge, Excise Patna City.

The bail bonds of the petitioner shall be accepted by the learned court below on showing the receipt of deposit of Rs 40,000/- (Rs. Forty Thousand) by the petitioner in the account



of the concerned DLSA.

(Sunil Kumar Panwar, J)

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