

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58496 of 2023

Arising Out of PS. Case No.-339 Year-2023 Thana- BUXAR MUFFSIL District- Buxar

Sunil Gond Son Of Shri Nivash Gond R/O Vill - Chhotki Basoli, Ward No. 8,
P.S. - Industrial Area (Buxar), Distt. - Buxar

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun Kumar Gupta

For the Opposite Party/s : Mr.Md. Anbzarul Haque Sahara

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 04-09-2023 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, it is a case of recovery of total 34.56 liter illegal liquor from a motorcycle which was contained in a sack.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. The petitioner has no concern with the alleged recovery and seizure list has not been prepared as per provision of Section 100 of the



Cr.P.C.. As per Supplementary Affidavit, vehicle in question belongs to informant's brother. It is further submitted that nothing has been recovered from his conscious possession. Moreover, the petitioner is languishing in judicial custody since 22.07.2023.

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 Buxar Muffasil P.S. Case No. 339 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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