

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61273 of 2023

Arising Out of PS. Case No.-433 Year-2023 Thana- GARKHA District- Saran

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Ram Das @ Ram Kumar Das S/O Shiv Nath Das Village- Bichla Telpa, Ps-
Chapra Town, Dist- Saran At Chapra (BIHAR)

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rakesh Kumar

For the Opposite Party/s : Mr.Jitendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 15-09-2023 Heard learned counsel for the petitioner and learned
APP for the State.

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

3. Prosecution case relates to recovery of 161 liters of
country made liquor from a tempo.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He has
falsely been implicated in this case. Nothing has been recovered
from the conscious possession of the petitioner. It is further
submitted from para-8 of this petition that the petitioner is a
driver of the said vehicle and one person namely Shambu Rai
hired the vehicle for delivery of goods but the petitioner has no



knowledge about the illicit liquor kept in the tempo. There is no independent witness of the seizure list rather they are police personnel. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 19.07.2023.

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

6. 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 Garkha P.S. Case No. 433 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 2nd Additional Sessions Judge-cum-Exclusive Special Judge, Excise, Saran at Chapra.

(Sunil Kumar Panwar, J)

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