

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62355 of 2023

Arising Out of PS. Case No.-57 Year-2023 Thana- GOVERNMENT OFFICIAL COMP.
District- Gaya

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Niraj Kumar S/O Late Manoj Chaudhary @ Late Manoj Kumar R/O Village-
Bagahi, P.S- Paraiya, Distt.- Gaya.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Prithivi Raj Singh

For the Opposite Party/s : Mr.Parmanand Kumar

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 05-10-2023 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 sections 30(A) &
56(b) of the Bihar Prohibition & Excise Act.

3. Prosecution case relates to recovery of 80 liters of
illicit liquor from a motorcycle bearing Registration No.
BR02NG-9065 and the petitioner is said to be apprehend on
spot with the seized vehicle.

4. 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 petition. The Petitioner has also no concern with



the alleged recovery of illicit liquor or with the motorcycle in question. No any incriminating article has been recovered from his conscious possession. Moreover, he is languishing in judicial custody since 2.8.2023.

5. Learned APP appearing for the State has vehemently opposed the prayer of Bail.

6. The petitioner is directed to deposit a sum of **Rs 5,000/- (Five Thousand)** in the District Legal Services Authority of concerned District.

7. 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 Sherghati Excise P.S. Case No. 57 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 Exclusive Special Excise Court No.3, Gaya.

8. The bail bonds of the petitioner shall be accepted by the learned court below on showing the receipt of deposit of **Rs. 5,000/- (Five thousand)** in the account of the concerned DLSA.

(Sunil Kumar Panwar, J)

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