

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60107 of 2023**

Arising Out of PS. Case No.-10 Year-2023 Thana- GOVERNMENT OFFICIAL COMP.
District- Vaishali

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Gajendra Kumar, S/o Ram Naresh Ray, R/o Village- Jagdishpur, P.S.-Jandaha,
Dist.-Vaishali

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Anuj Kumar, Advocate

For the Opposite Party/s : Mr. Anil Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 08-09-2023 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

2. The accused/petitioner seeks bail in connection

with Excise P.S. Case No.10 of 2023 registered for the offences

punishable under Sections 30(a), 32(1)(2)(3), 41(1) & (2) of the

Bihar Prohibition and Excise Amendment Act, 2018.

3. The accused/petitioner is named in the FIR and is

in custody since 22.07.2023.

4. Allegation against the petitioner is to be engaged in

illegal trading/manufacturing of illicit liquor, where there is

recovery of 1920.6 liters of IMFL/country-made liquor from

godown of Pinku Sah.



5. It is submitted by learned counsel that petitioner was engaged as a labour to unload the consignment, where he was apprehended by police raiding party. It is submitted that nothing surfaced during the course of investigation to connect the petitioner with alleged recovered illicit liquor. Learned counsel pointed out that the godown belongs to co-accused Pinku Sah, where alleged pick-up van vehicle is not appears to be connected in any manner with this petitioner, who is a man of clean antecedent.

6. Learned APP opposes the prayer for grant of bail to the petitioner.

7. In view of above-mentioned facts and circumstances, as petitioner not appears to be connected *prima facie* with alleged godown and recovered illicit liquor, who claims to be engaged as labour to unload the consignment, where petitioner is in custody since 22.07.2023, accordingly, the petitioner, above-named, is directed to be released on bail furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Prohibition and Excise Court-2-cum-Additional District and Sessions Judge, Vaishali at Hajipur in connection with Mahua Prohibition and Excise P.S. Case No.10



of 2023, subject to the conditions as laid down under Section
437(3) of the CrPC.

(Chandra Shekhar Jha, J.)

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