

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62287 of 2023

Arising Out of PS. Case No.-788 Year-2023 Thana- KAHALGAON District- Bhagalpur

SHIV KUMAR @ SHIV RAJ SON OF KAILASH YADAV RESIDENT OF
VILLAGE- BARAHI ANANDPURA, PS- UDAKISUN GANJ, DISTT-
MADHEPURA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Baijnath Sah

For the Opposite Party/s : Mr.Parmanand Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 20-09-2023 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 134.250 liter Indian Made Foreign liquor from a car.

Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He has
falsely been implicated in this case merely on the basis of
confessional statement of co-accused. Neither the petitioner was
apprehended on the spot nor vehicle in question belongs to him.
It is further submitted that nothing has been recovered from his



conscious possession. The petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 09.07.2023.

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 Kahalgaon Ghogha P.S. Case No. 788 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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