

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60491 of 2023

Arising Out of PS. Case No.-78 Year-2022 Thana- KALYANPUR District- Samastipur

Anand Kumar @ Dablu Son Of Ramachandra Roy R/O Vill - Jathmalpur Tira,
P.S. - Kalyanpur, Distt. - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anish Kumar

For the Opposite Party/s : Mr.Parmeshwar Mehta

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 12-09-2023 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 sections 30(a), 32(iii), 36 and 41(i) of the Bihar Prohibition and Excise Act.

3. Prosecution case relates to recovery of total 3522.960 liters country made liquor from the truck bearing Reg. No. BR06GB-5574.

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 merely on suspicion. The petitioner was neither apprehended on spot nor any incriminating article was recovered from his conscious possession. He has no concern either with the seized liquor or



with the seized vehicle in question. The provision of Section 100 Cr.P.C. has not been followed in this case. Moreover, the petitioner is languishing in judicial custody since 25.08.2023.

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 Kalyanpur P.S. Case No. 78 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge Excise Court No-1, Samastipur.

(Sunil Kumar Panwar, J)

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