

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62220 of 2023

Arising Out of PS. Case No.-76 Year-2023 Thana- MEDNI CHAUKI District- Lakhisarai

SHIV KUMAR Son of Sito Mahto @ Sito Mahato @ Sitilal Mahto R/o vill -
Karbala Belba Ghat Chai Tola, P.S. - Kasim Bazar, Distt. - Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar

For the Opposite Party/s : Mr.Surendra Kumar

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.

The petitioner prayed for regular bail in connection with Medni Chowki P.S. Case No. 76 of 2023 instituted for the offence under Sections 30(a) of the Bihar Prohibition and Excise Act.

As per FIR, the petitioner was apprehended on the spot with Tempo bearing Reg. No. BH-08P-3601 and on search, total 150 liters illegal county made liquor was recovered from the sacks loaded on the said Tempo.

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. Petitioner has no concern with the alleged recovery of liquor nor vehicle in question belongs to him. Seizure list has not been prepared as per provision of Section 100 of the Cr.P.C. It is further submitted that nothing incriminating article has been recovered from his conscious possession. The petitioner is languishing in judicial custody since 31.05.2023.

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

The petitioner being driver of the alleged vehicle is directed to deposit a sum of **Rs 10,000/- (Ten Thousand)** in the District Legal Services Authority of concerned District.

Having heard learned counsel for the parties and 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 Medni Chowki P.S. Case No. 76 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 Additional Sessions Judge-V-cum Exclusive Special
Court-II, Excise Act, Lakhisarai.

The bail bonds of the petitioner shall be accepted
by the learned court below on showing the receipt of
deposit of **Rs. 10,000/- (Rs. Ten thousand)** by the
petitioner in the account of the concerned DLSA.

(Sunil Kumar Panwar, J)

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