

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62499 of 2023

Arising Out of PS. Case No.-171 Year-2023 Thana- BENIPATTI District- Madhubani

SUSHIL KUMAR SAH son of Dinesh Sah Village- Shisodih Ps- Sadar Mabbi
OP Dist- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Baidya Nath Prasad
For the Opposite Party/s	:	Mr.Jitendra Kumar Singh

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.

The petitioner has filed the instant application for grant of regular bail in connection with Bennipatti P.S. Case No. 171 of 2023 registered under sections 272, 273, of the IPC and Section 30(a) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 108 liters Neplai liquor from the car and the petitioner was also apprehended on the spot.

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. It is



further submitted that nothing incriminating has been recovered from the conscious possession of the petitioner and he has no concern with the seized illicit liquor. It is also submitted that the vehicle in question does not belong to the petitioner. The petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 28.07.2023.

The application for bail is opposed by learned APP for the State and submitted that the petitioner has been arrested on spot with the said vehicle by the police where the recovery has been made.

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

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as the custody of the petitioner, the Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Bennipatti P.S. Case No. 171 of 2023 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional



Sessions Judge-II-cum Special Judge, Excise Act,
Madhubani.

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

(Sunil Kumar Panwar, J)

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