

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64168 of 2023**

Arising Out of PS. Case No.-61 Year-2023 Thana- KALER District- Jehanabad

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Ismail Son Of Palmasih R/O Vill - Ittan Badhi, P.S. - Bhogpur, Distt. -
Jalandhar (Punjab)

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pramod Kumar Singh

For the Opposite Party/s : Mr.Kalyan Shankar

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**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

2 12-10-2023 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner has prayed for bail in a case
registered for the offence punishable under sections
30(a) of the Bihar Prohibition and Excise Act.

3. Prosecution case relates to recovery of 2907
litres of I.M.F.L. from a Truck bearing Registration No.
PB-12Q-5033. The petitioner who was driver of the
Truck in question, was apprehended on spot.

4. It is submitted by learned counsel for the
petitioner that petitioner is innocent and he has falsely
been implicated in the present case. Nothing has been



recovered from the conscious possession of the petitioner. He has no concern either with the Truck in question or with the illicit liquor. There is no independent witness of the alleged seizure. Moreover, the Petitioner is languishing in judicial custody since 12.05.2023.

5. Learned A.P.P. appearing on behalf of State has vehemently opposed the prayer of bail of petitioner and submitted that petitioner is the driver of the vehicle from which a huge quantity of liquor has been seized.

6. 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 enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Special Judge II, Excise, Jehanabad in connection with Kaler P.S. Case No. 61 of 2023.

7. The petitioner is directed to deposit a sum



of Rs. 10,000/-(Rupees Ten Thousands) in the
concerned District Legal Services Authority.

8. The bail bond of the petitioner shall be
accepted by the learned Court below on showing receipt
of deposit of Rs. 10,000/-(Rupees Ten Thousands) in
District Legal Services Authority of concerned District.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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