

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63687 of 2023

Arising Out of PS. Case No.-390 Year-2023 Thana- Excise P.S. District- Gopalganj

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Ajay Kumar S/O Ramsurat Ray Village Basudeopur (Mushahari Tola), Ps-
Sahebganj, Dist- Muzaffarpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Awnish Kumar

For the Opposite Party/s : Mr.Rita Verma

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 10-10-2023 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 Gopalganj Excise P.S. Case No. 390 of 2023 registered under section 30(a) of the Bihar Prohibition and Excise Act.

The prosecution case in nutshell is that informant, being a police official, on secret information intercepted a vehicle bearing Reg. No. WB-73D-2104. On search, 47.85 litres of IMFL has been seized from the said vehicle. Petitioner was 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 the present case. It is further



submitted that nothing incriminating has been recovered from the conscious possession of the petitioner and he has no concern either with the seized illicit liquor or with the vehicle in question. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. Moreover, the petitioner is languishing in judicial custody since 08.04.2023.

The application for bail is opposed by learned APP for the State and submitted that the petitioner was driver of the said vehicle from which recovery of illicit liquor has been made.

The petitioner is directed to deposit a sum of Rs. 5,000/- (Rs. Five 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 Gopalganj Excise P.S. Case No. 390 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 District & Sessions Judge IV-cum-Exclusive Special Excise Court-II, Gopalganj.



The bail bonds of the petitioner shall be accepted by the learned lower Court below on showing the receipt of deposit of Rs. 5,000/- (Rs. Five Thousand) by the petitioner in the account of concerned DLSA.

(Sunil Kumar Panwar, J)

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