

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66073 of 2023

Arising Out of PS. Case No.-300 Year-2021 Thana- GHORASAHAN District- East
Champaran

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Luv Kumar Singh, Son of Surendra Singh, R/o village- Badka Bakuliya, P.S.-
Ghorasahan, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate

Mr. Rashmi Jha, Advocate

For the Opposite Party/s : Mr. Nityanand, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

2 19-10-2023

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Ghorasahan P.S. Case no. 300 of 2021, registered under section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, on a secret information having been received and a raid being conducted it is stated that 362.1 litres of IMFL was recovered from the *bhusauli* belonging to this petitioner.

4. It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. No incriminating article has been recovered from the petitioner's possession. Even accepting the allegations levelled in the FIR,



the alleged place of recovery is an open place accessible to all. The petitioner is in custody since 1.7.2022 and charge-sheet has been submitted in the case. He has no antecedent under the Bihar Prohibition and Excise Act, 2016.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and taking into consideration the submissions made on behalf of the petitioner, his being in custody for more than 1 year since 1.7.2022 and not having any antecedent under the Bihar Prohibition and Excise Act, 2016, the petitioner is directed to be enlarged on bail in connection with Ghorasahan P.S. Case no. 300 of 2021 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 Exclusive Special Excise Court no.1, Motihari, East Champaran.

(Partha Sarthy, J)

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