

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66679 of 2023

Arising Out of PS. Case No.-50 Year-2023 Thana- Excise P.S. District- Gaya

Dhirendra Kumar Son Of Late Kameshwar Yadav Resident Of Village-
Sonvarsa, Ps- Hunterganj, Distt- Chatra, Jharkhand

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Javed Jafar Khan

For the Opposite Party/s : Mr.Md. Aslam Ansari

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 15-12-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner prayed for regular bail in connection with Sheghati Excise P.S. Case No.50 of 2023 instituted for the offence under Sections 30(a) and 56(b) of the Bihar Prohibition and Excise Amendment Act.

As per FIR, the petitioner was apprehended on the spot and from a Tempu, total 170 liters of illegal country made liquor was recovered.

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 due to police mechanism. 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 27.07.2023.

In compliance of order dated 17.10.2023 a report regarding antecedent of the petitioner has been received by which it appears that the petitioner has got no criminal antecedent.

The petitioner being driver of the alleged vehicle is directed to deposit a sum of **Rs 5,000/- (Five 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 Sherghati Excise P.S. Case No. 50 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 Exclusive Excise Court No.3, Gaya.

The bail bond of the petitioner shall be accepted by the learned court below on showing the receipt of deposit of **Rs. 5,000/- (Rs. five thousand)** by the petitioner in the account of the concerned DLSA.

(Sunil Kumar Panwar, J)

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