

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65663 of 2023

Arising Out of PS. Case No.-240 Year-2021 Thana- PIPRAKOTHI District- East Champaran

Abhishek Kumar @ Abhishek Kumar Singh @ Buntty S/O Rameshwar Dubey
R/O Madhubani, Dubey Tola, P.S- Sangrampur, Distt.- East Champaran.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Krishna Kant Singh

For the Opposite Party/s : Mr.Md. Mushtaque Alam

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 13-10-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 272, 273, 34 of the Indian Penal Code and Section 30(a), of the Bihar Prohibition and Excise Act.

3. As per FIR, prosecution case relates to recovery of 5260 liters spirit from a truck and co-accused has also been apprehended on the spot and he confessed that spirit belong to the petitioner.

4. 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 merely on the basis of confessional statement of co-



accused. The petitioner has no concern with the alleged recovery and he was also not apprehended from the place of recovery. No any incriminating article has been recovered from conscious possession of the petitioner. It is further submitted that the vehicle in question does not belong to him. The petitioner is languishing in judicial custody since 08.06.2023.

5. Learned APP appearing for the State has vehemently opposed the prayer of Bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as judicial custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Piprakothi P.S. Case No. 240 of 2021 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No-1, East Champaran, Motihari.

(Sunil Kumar Panwar, J)

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