

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64780 of 2023

Arising Out of PS. Case No.-742 Year-2023 Thana- Excise P.S. District- Banka

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RUPESH KUMAR son of Balkishore Chaudhary Village- Bharko Ps-
Amarpur Dist- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dipak Kumar

For the Opposite Party/s : Mr.Sanjay Kumar

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 11-10-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
instituted for the offence under Section 30(a) of the Bihar
Prohibition and Excise Act.

3. As per prosecution case, there has been recovery of
130 liters of illegal liquor from a car, which was being driven by
the petitioner.

4. It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has
committed no offence. Petitioner was apprehended on spot. He
submitted that the petitioner has no concern with the seized
liquor. Nothing incriminating article has been recovered from
the conscious possession of the petitioner. Petitioner has got no
criminal antecedent as stated in para-3 of the bail petition. He is



languishing in judicial custody since 29.08.2023.

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

6. The petitioner being driver of the alleged vehicle is directed to deposit Rs. 5,000/- (Five thousand) in the account of concerned DLSA.

7. 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 Additional District and Sessions Judge-V, Banka in connection with Excise Banka P.S. Case No. 742 of 2023.

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

(Sunil Kumar Panwar, J)

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