

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65697 of 2023

Arising Out of PS. Case No.-74 Year-2023 Thana- CHAORI District- Bhojpur

Sadan Kumar @ Rohit Kumar Son Of Raj Kumar Singh Resident Of Village-
Baghi, Ps- Sahar, Distt- Bhojpur At Ara

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ganesh Prasad Singh

For the Opposite Party/s : Mr.Mohammed Arif

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 17-10-2023 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 section 30(a) of the Bihar Prohibition and Excise Act.

3. Prosecution case relates to recovery of 35 liters of illicit liquor from a motorcycle which was being driven this petitioner.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case due to criminal history of the petitioner. It is further submitted from para-9 of this petition that the petitioner was returning from his relative on his motorcycle and in the meantime, police party stopped the petitioner and



demanded original documents but petitioner has shown xerox copy of the document and for that reason some hot exchange took place between the parties and thereafter police implicated the petitioner in false and fabricated case. There is no independent witness of the seizure list rather they are police personnel. Petitioner has no concern with the seized liquor. Moreover, he is languishing in judicial custody since 16.08.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Chauri P.S. Case No. 74 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 Special Judge, Excise Court No.1, Bhojpur at Ara.

(Sunil Kumar Panwar, J)

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