

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64831 of 2023

Arising Out of PS. Case No.-532 Year-2023 Thana- Excise P.S. District- Patna

SHANKAR KUMAR @ SHIV SHANKAR KUMAR, S/o LATE DINESH
RAI, R/o vill - Bhagwatipur, P.S. - Bihta, Distt. - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Singh, Advocate
For the Opposite Party/s : Mr.Ajay Kumar No. 2, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 12-10-2023 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Special Case No. 3151 of 2023 arising out of Patna Excise Patna P.S. Case No. 532 of 2023 dated 31.03.2023 registered for the offences punishable u/ss 30(a) and 56(b) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, 960 litres of illicit *chulai* liquor was recovered from the Bolero vehicle. It is further alleged that the petitioner was the driver of the said vehicle.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in



this case. The petitioner is neither the owner nor the driver of the said vehicle. Nothing has been recovered from the possession of the petitioner and the petitioner has no concern with the alleged recovery. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 01.04.2023.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Patna in connection with Special Case No. 3151 of 2023 arising out of Patna Excise Patna P.S. Case No. 532 of 2023.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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