

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66980 of 2023

Arising Out of PS. Case No.-469 Year-2023 Thana- SHAHPUR PATORI District- Samastipur

Bhajan Rai Late Mahabir Rai Resident Of Village- Baghra, P.S.-Patori
Mohanpur (O.P.), District-Samastipur

... .. Petitioner/s

Versus

THE STATE OF BIHAR PATNA

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bindeswari Singh
For the Opposite Party/s : Mr.Shailendra Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 01-11-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in a case registered
for the offence punishable under sections 30(a) of the Bihar
Prohibition and Excise Act.

Prosecution case relates to recovery of 45 litres
illicit liquor from the bathan of the petitioner and petitioner
managed to escape.

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no
offence. He has no concern with the alleged recovery. The name
of the petitioner has been disclosed in this case by the local
villager before the police, which has got no evidentiary value in
the eye of law. Neither the petitioner was arrested on spot nor



any incriminating article has been recovered from his conscious possession. He is languishing in judicial custody since 27.07.2023.

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

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 Spl. Excise Judge No. 2, Samastipur in connection with Patori (Mohanpur O.P.) P.S. Case No. 469 of 2023.

(Sunil Kumar Panwar, J)

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