

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65484 of 2022

Arising Out of PS. Case No.-161 Year-2022 Thana- BISHWAMBHARPUR District-
Gopalganj

=====

BHIM KUMAR Son of Harendra Yadav @ Harendra Ray Resident of
Village- Bakhari, P.S.- Kalyanpur, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar
For the Opposite Party/s : Mr. Anant Kumar 1

=====

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 25-02-2023 Heard learned counsel for the petitioner and learned
APP for the State.

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

Prosecution case relates to recovery of total 224.640
liters illicit liquor from a Scorpio vehicle bearing Registration
No. MH43A1999. Accordingly, the seizure list has been
prepared.

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.
Petitioner has no concern with the alleged recovery of illicit



liquor and the vehicle in question from where the recovery has been made, belongs to co-accused namely, Mohan Giri. No any incriminating article has been recovered from conscious or constructive possession of the petitioner. It is further submitted that the petitioner is languishing in judicial custody since 25.9.2022.

Learned APP appearing for the State has vehemently 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 released on bail in connection with Bishambharpur P.S. Case No. 161 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 4th Additional Sessions Judge-cum-Special Judge Excise Court-II, Gopalganj.

(Sunil Kumar Panwar, J)

Amandeep/-

U		T	
---	--	---	--

