

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69111 of 2023

Arising Out of PS. Case No.-48 Year-2020 Thana- GAUTAMBUDHNAGAR District- Siwan

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ARJUN RAI S/O RAJ GIRI RAI R/O VILLAGE- BANKAT, P.S-
BHAGWANPUR HAT, DISTT.- SIWAN.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anil Chandra

For the Opposite Party/s : Mr.Shyam Bihari Singh

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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.

2. The petitioner has prayed for bail in a case registered for the offence punishable under sections 30(a), 36, 38, 41(1) of the Bihar Prohibition and Excise Act.

3. Prosecution case relates to recovery of total 964 liters of illicit liquor from a Tractor and driver of the said tractor was apprehended on the spot.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He is not named in the F.I.R. He has falsely been implicated in this case on the ground that the driver was in contact of owner (petitioner) of Mobile no.8252799406. He has no concern with the alleged recovery of liquor or with



the vehicle in question. Neither the petitioner was arrested on spot nor any incriminating article has been recovered from his conscious possession. The driver of the vehicle namely, Amarjeet who was arrest on spot, has already been enlarged on bail by another coordinate Bench of this Court vide order dated 13.10.2020 passed in Cr. Misc. No. 25760 of 2020. petitioner is languishing in judicial custody since 27.08.2023.

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

6. 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 Exclusive Special Court Excise-1st, Siwan in connection with G.B. Nagar P.S. Case No. 48 of 2020.

(Sunil Kumar Panwar, J)

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