

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70106 of 2023

Arising Out of PS. Case No.-1521 Year-2023 Thana- Excise P.S. District- Gaya

Sunil Kumar S/Olate Chando Sao R/O Vill-Khizersarai, Ps-Khizersarai, Dist-
Gaya

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Aryan Singh

For the Opposite Party/s : Mr.Meena Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 03-11-2023 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) &
56(b) of the Bihar Prohibition and Excise Act.

3. Prosecution case relates to recovery of 90 litres of
IMFL from a Tempo bearing Reg. no. BR-02PB-9388.

4. 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 or with the vehicle in question. Nothing
incriminating has been recovered from his conscious
possession. There is no independent witness of the alleged



seizure. Moreover, the petitioner is languishing in judicial custody since 27.08.2023. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

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 Excise Court No. III, Gaya in connection with Excise P.S. Case No. 1521 of 2023.

(Sunil Kumar Panwar, J)

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