

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.70480 of 2023**

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

MANISH KUMAR son of Taregan Sao Village- 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.Gulnar Begum

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

2      06-11-2023                      Heard learned counsel for the petitioner and  
learned APP for the State.

The petitioner prayed for regular bail in connection with Excise P.S. Case No. 1521 of 2023 instituted for the offence under Sections 30(a) and 56(b) of the Bihar Prohibition and Excise Amendment Act.

As per FIR, the petitioner was apprehended on the spot and from a Tempo bearing Reg. No. BR-02PB-9388, total 90 liters of foreign liquor was recovered.

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 by the police. Petitioner has no concern



with the alleged recovery of liquor nor vehicle in question registered in his name. Seizure list has not been prepared as per provision of Section 100 of the Cr.P.C. It is further submitted that nothing incriminating article has been recovered from his conscious possession. The petitioner is languishing in judicial custody since 27.08.2023.

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

The petitioner being driver of the alleged vehicle is directed to deposit a sum of **Rs 10,000/- (Ten Thousand)** in the District Legal Services Authority of concerned District.

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 Excise P.S. Case No. 1521 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No. III, Gaya.

The bail bond of the petitioner shall be accepted



by the learned court below on showing the receipt of deposit of **Rs. 10,000/- (Rs. Ten thousand)** by the petitioner in the account of the concerned DLSA.

**(Sunil Kumar Panwar, J)**

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