

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72358 of 2023

Arising Out of PS. Case No.-340 Year-2023 Thana- MUFFASIL District- Aurangabad

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BABLU NAYAK S/O DEVI SINGH NAYAK R/O VILLAGE-
PARWATPURA, P.S- BAROTHA, DISTT.- DEWAS(MADHYA PRADESH).

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shyameshwar Kumar Singh

For the Opposite Party/s : Mr.Ramesh Chandra

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 28-11-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 30(a), 32 and 41 of the
Bihar Prohibition and Excise Act.

3. As per prosecution case, there has been recovery of
3426.12 liters of illegal IMFL from a Truck, which was being
driven by the petitioner.

4. It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has



committed no offence. Petitioner was apprehended on spot. He submitted that the petitioner has no concern with the seized liquor. Nothing incriminating article has been recovered from the conscious possession of the petitioner. Petitioner has got no criminal antecedent as stated in para-3 of the bail petition. He is languishing in judicial custody since 20.08.2023.

5. The application for bail is opposed by learned APP for the State.

6. The petitioner is directed to deposit Rs. 30,000/- (thirty thousand) in the account of concerned DLSA.

7. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, 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. 1, Aurangabad in connection with Muffasil P.S. Case No. 340 of 2023.

8. The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of Rs. 30,000/- (thirty thousand) by the petitioner in the account of



concerned DLSA.

(Sunil Kumar Panwar, J)

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