

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70518 of 2023

Arising Out of PS. Case No.-242 Year-2023 Thana- PANCHRUKHI District- Siwan

DEVENDRA KUMAR S/of Rameshwar Mahato R/ of Vill-Balra, P.S.-
Sidhwalia, District-Gopalganj

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gautam Kumar Yadav

For the Opposite Party/s : Mr.Rajesh Kumar

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.

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

3. The petitioner is said to have been apprehended with a motorcycle from where 78 liters of illicit liquor was recovered.

4. 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. He has got no criminal antecedent. Petitioner has no concern with the alleged recovery or with the vehicle in question. No any incriminating article has been recovered from



his conscious possession. The petitioner is languishing in judicial custody since 7.9.2023.

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

6. The petitioner is directed to deposit a sum of **Rs 5,000/- (Five Thousand)** in the District Legal Services Authority of concerned District.

7. 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 Pachrukhi P.S. Case No. 242 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 1st Siwan.

8. The bail bonds of the petitioner shall be accepted by the learned court below on showing the receipt of deposit of **Rs. 5,000/- (Five Thousand)** by the petitioner in the account of the concerned DLSA.

(Sunil Kumar Panwar, J)

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