

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70240 of 2023

Arising Out of PS. Case No.-313 Year-2023 Thana- PHULWARIYA District- Gopalganj

NARESH PASHI S/o- Subhash Chaudhari @ Subhash Pashi Village- Sahpur
Mishir Batarha Ps-Phulwariya Dist- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vyas Kumar Mishra

For the Opposite Party/s : Mr.Sanjay Kumar Pandey

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 regular bail in a case registered for the offence punishable under section 30(a) of the Bihar Prohibition and Excise Act.

3. As per FIR, it is a case of recovery of total 44.2 liters country made liquor from a Motorcycle bearing Reg no. BR28N-6690 and the petitioner is said to have fled away from the place of occurrence.

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 on the disclosure of local chaukidar. The petitioner has got no criminal antecedent as stated in para-3 of the bail



petition. He has no concern with the alleged recovery of illicit liquor or with the vehicle in question. Neither he was arrested on spot nor any incriminating article has been recovered from his conscious possession. Moreover, he is languishing in judicial custody since 8.9.2023.

5. Learned APP appearing for the State has vehemently 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 released on bail in connection with Phulwariya P.S. Case No. 313 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 Addl. District and Sessions Judge-II-cum-Special Judge, Excise Court-I, Gopalganj.

(Sunil Kumar Panwar, J)

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