

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68944 of 2023

Arising Out of PS. Case No.-579 Year-2023 Thana- MAHUA District- Vaishali

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SURAJ KUMAR S/O KAMALDEV SAH R/O VILLAGE-MADHOPUR
RAI @ MADHOPUR RAM, P.S.-SARAI, DIST.-VAISHALI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pratima Kumari

For the Opposite Party/s : Mr.Pushpa Sinha

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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.

The petitioner has filed the instant application for grant of regular bail in connection with Mahua P.S. Case No. 579 of 2023 registered under sections 30(a), 32(ii)(iii) and 41(i) (ii) of the Bihar Prohibition and Excise Act and Sections 272, 273, 414 and 34 of the IPC.

Prosecution case relates to recovery of 807.480 liters of country made liquor from a bolero pick-up van and the petitioner was arrested by the police on spot.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. It is further submitted that nothing incriminating has been recovered from the conscious



possession of the petitioner and he has no concern with the seized illicit liquor. There is no independent witness of the seizure list. Moreover, he is languishing in judicial custody since 30.08.2023.

The application for bail is opposed by learned APP for the State and submitted that the petitioner has been arrested on spot with the said vehicle by the police where the recovery has been made.

The petitioner is directed to deposit a sum of Rs. 20,000/- (Rs. Twenty Thousand) in the District Legal Services Authority of the concerned District.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as the custody of the petitioner, the Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Mahua P.S. Case No. 579 of 2023 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Spl. Judge, Excise Court, Vaishali at Hajipur.

The bail bonds of the petitioner shall be accepted by the learned lower Court below on showing the receipt of deposit



of Rs. 20,000/- (Rs. Twenty Thousand) by the petitioner in the
account of concerned DLSA.

(Sunil Kumar Panwar, J)

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