

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70087 of 2023

Arising Out of PS. Case No.-872 Year-2023 Thana- Excise P.S. District- West Champaran

Bira Ram Son Of Mohan Ram Resident Of Village - Ward No.4, Laukariya,
P.S. - Bairiya, District - West Champaran

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Kumar Gupta
For the Opposite Party/s : Mr.Uday Pratap Singh

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 bail in a case registered for the offence punishable under sections 30(a), 47 of the Bihar Prohibition and Excise Act.

3. Prosecution case relates to recovery of 313.92 litres of IMFL from motorcycle and from the bush near road side of cow-shed of co-accused Saalu Rao.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has no concern with the alleged recovery or with the place of occurrence. There is no independent witness of the alleged seizure. Nothing



incriminating has been recovered from the conscious possession of the petitioner. Moreover, petitioner is languishing in judicial custody since 28.08.2023. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

5. Learned APP appearing for the State has 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 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 Judge, Excise, Bettiah, West Champaran in connection with Excise P.S. Case No. 872 of 2023.

(Sunil Kumar Panwar, J)

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