

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.70089 of 2023**

Arising Out of PS. Case No.-91 Year-2023 Thana- DHOLBAJJA District- Bhagalpur

Batoran Singh S/O Bhakti Singh Village- Thakurjee, Kachahari Tola, Kadwa,  
Ps. Dholbajja (KADWA O.P.), Dist. Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Diwakar Upadhyaya  
For the Opposite Party/s : Mr.Sanjay Kumar

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

Prosecution case relates to recovery of 5 litres of  
country made liquor from a motorcycle bearing Reg. No.  
BR-43T-3361. The petitioner is alleged to be the driver  
of the said motorcycle.

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. Nothing incriminating has been recovered from the conscious possession of the petitioner. There is no independent witness of the alleged seizure. Moreover, the petitioner is languishing in judicial custody since 23.08.2023.

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

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as considering the fact that meagre quantity of liquor has been recovered, 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 Judge I-cum-A.D.J. IX, Bhagalpur in connection with Dholbajja



(Kadwa) P.S. Case No. 91 of 2023.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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