

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70483 of 2023

Arising Out of PS. Case No.-136 Year-2022 Thana- KHANPURA District- Samastipur

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SANJAY PASI @ SANJAY KUMAR S/O RAMDEO PASI @ RAMDEV
MAHTO R/O VILLAGE- MASINA, P.S- KHANPUR, DISTT.-
SAMASTIPUR.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bhaskar Shankar

For the Opposite Party/s : Mr.Md. Iftekhhar Mahmood

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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 bail in a case registered for the offence punishable under section 30(a), 36, 41(i)(ii) of the Bihar Prohibition and Excise Act. Earlier the petitioner was granted anticipatory bail by another co-ordinate Bench of this Court vide order dated 18.03.2023 passed in Cr. Misc. No. 74860 of 2022 with condition to deposit Rs. 300000/- before furnishing bail bond, but petitioner could not fulfill the condition and same has become infructuous as petitioner surrendered on 31.08.2023 and since then he is languishing in judicial custody.

3. Prosecution case relates to recovery of altogether



3722.760 liters of foreign liquor from four different vehicles.

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 case at the instance of his enemies. His name transpired in this case merely on suspicion. He has no concern with the alleged recovery of liquor or with the vehicles in question. Neither the petitioner was arrested on spot nor any incriminating article has been recovered from his conscious possession.

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 Excise Court-Ist, Samastipur in connection with Khanpur P.S. Case No. 136 of 2022.

(Sunil Kumar Panwar, J)

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