

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70827 of 2023

Arising Out of PS. Case No.-1702 Year-2023 Thana- Excise P.S. District- Muzaffarpur

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ABHINASH KUMAR @ NANKI SON OF LATE RAMNATH SINGH
RESIDENT OF VILLAGE- SIKANDARPUR MUKTIDHAM, P.S. TOWN
(SIKANDARPUR) DISTRICT- MUZAFFARPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ravi Ranjan

For the Opposite Party/s : Mr.Ram Sumiran Rai

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 28-11-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 30(a) and 32(3) of the
Bihar Prohibition and Excise Act.

3. As per prosecution case, there has been recovery of
86.01 liters of illegal foreign liquor from a tempo, which was
being driven by the petitioner.

4. It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has
committed no offence. Petitioner was apprehended on spot. He
submitted that the petitioner has no concern with the seized
liquor. Nothing incriminating article has been recovered from



the conscious possession of the petitioner. He is languishing in judicial custody since 30.08.2023.

5. The application for bail is opposed by learned APP for the State.

6. The petitioner is directed to deposit Rs. 10,000/- (ten thousand) in the account of concerned DLSA.

7. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, 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 Special Judge (Excise Court No. 2), Muzaffarpur in connection with Excise P.S. Case No. 1702 of 2023.

8. The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of Rs. 10,000/- (ten thousand) by the petitioner in the account of concerned DLSA.

(Sunil Kumar Panwar, J)

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