

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72488 of 2023

Arising Out of PS. Case No.-1345 Year-2023 Thana- Excise P.S. District- Patna

SHYAM JI PRASAD S/O LATE MUNNA LAL PRASAD R/O VILLAGE-
BALIYA (UTTAR PRADESH), P.S-GARBAR, DISTT.- BALIYA (UTTAR
PRADESH).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aryan Singh, Advocate

For the Opposite Party/s : Ms. Pushpa Sinha.1, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 09-11-2023

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Excise (Prohibition) Patna P.S. Case no.1345 of 2023 registered under section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, the informant states that on receiving secret information about the accused persons being involved in sale and purchase of liquor, a raid was conducted. It is further stated that on reaching the checkpoint, some of the accused persons including the petitioner herein started to run but were caught. It is stated that a total of 50 litres of country liquor was recovered.

4. Learned counsel for the petitioner submits that



the petitioner has been falsely implicated in the case. No incriminating article has been recovered from his possession. The alleged place of recovery is an open place accessible to all. The petitioner has no criminal antecedent and is in custody since 24.8.2023. Chargesheet has been submitted in the case. Besides the above, submission is made by learned counsel for the petitioner on the point of alibi.

5. Heard learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the F.I.R., the submissions made on behalf of the petitioner, the petitioner being in custody since 24.8.2023, chargesheet having been submitted in the case and the petitioner not having any criminal antecedent, the Court directs the petitioner to be enlarged on bail in connection with Excise (Prohibition) Patna P.S. Case no.1345 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 Special Judge-Excise Court no.3, Patna.

(Partha Sarthy, J)

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