

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77755 of 2023

Arising Out of PS. Case No.-1409 Year-2023 Thana- Excise P.S. District- Patna

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Akash Kumar Son Of Sanjiv Kumar Resident Of Gardanibagh, P.S. -
Gardanibagh, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rakesh Bihari Singh, Advocate

For the State : Mr.Khurshid Anwar, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 04-12-2023 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Excise
Excise Patna P.S. Case No. 1409 of 2023 instituted for the
offence under Sections 30(a), 56(b) of the Bihar Prohibition and
Excise Act.

3. There is alleged recovery of 108.450 litres of
English Wine from a Tempo, while interception by the police.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 09-09-2023. Petitioner has



two criminal antecedents.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. In fact, petitioner has no concern with the alleged illicit liquor. Petitioner was passenger in the Tempo and Tempo is not in the name of the petitioner.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner, nature of allegation and claim based on parity, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail on furnishing bail bonds of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Excise Patna P.S. Case No. 1409 of 2023 subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on



two consecutive dates, the Trial Court will have liberty to
cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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