

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72720 of 2022

Arising Out of PS. Case No.-416 Year-2022 Thana- RIGA District- Sitamarhi

Shivam Kumar S/O Gautam Sharma Resident Of Village- Gaushala Chowk,
Ward No- 11, P.S.- Punaura, District- Sitamarhi, Bihar.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sumit Shekhar Pandey

For the Opposite Party/s : Mr.Kalyan Shankar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 25-02-2023 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 section 414 of Indian Penal Code and Section 30(a) of the Bihar Prohibition & Excise Act.

Prosecution case relates to recovery of 745.5 litres of illicit liquor from six different vehicles. Petitioner and other co-accused persons were apprehended on the spot. The petitioner is concerned with the motorcycle bearing registration No. BR-30U-0367, owned by mother of the petitioner and from the said motorcycle 36 litres of illicit liquor has been recovered.



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 recovered liquor. Nothing has been recovered from the conscious possession of the petitioner. He is languishing in judicial custody since 26.09.2022.

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, 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 Court 1, Sitamarhi, Bihar in connection with Riga P.S. Case No. 416 of 2022.

(Sunil Kumar Panwar, J)

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