

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73209 of 2023**

Arising Out of PS. Case No.-101 Year-2023 Thana- LAKHNAUR District- Madhubani

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Vishal Kapur Son Of Late Vipin Kapur Resident Of Village C 90 11 Rama
Bihar Rohani Sector 39 Mohamadpur Mazari, P.S. - Uttar Pachami,
Begampur, Delhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bhavesh Kumar Sah

For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap

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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.

The petitioner is languishing in custody in a

case registered for the offences punishable under

Sections 272, 273, 34 of the Indian Penal Code and

Sections 41(1)(11), 47, 30(a) of the Bihar Prohibition &

Excise Act.

There is recovery of 301.260 litres of illicit

Indian made Foreign Liquor from a vehicle. The



petitioner was apprehended from the spot.

It is submitted by learned counsel for the petitioner that petitioner is innocent and he has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has no concern either with the seized vehicle or the illicit liquor. The petitioner is languishing in custody since 16.05.2023. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

In contra, learned A.P.P appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioner.

Considering the facts aforesaid and the period under custody, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousands) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Act, Jhanjharpur (Madhubani) in connection with



Lakhanur P.S. Case No. 101 of 2023.

(Sunil Kumar Panwar, J)

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