

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72235 of 2022**

Arising Out of PS. Case No.-135 Year-2022 Thana- GURARU District- Gaya

KULDEEP BHUIYA S/o Chandra Bhuiya R/v- Jay Nagar, P.S.- Gurua,
District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Priya Ranjan

For the Opposite Party/s : Mrs. Veena Kumari Jaiswal

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

2 13-01-2023 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 sections 30(a) (d) of the Bihar
Prohibition and Excise Act.

Prosecution case relates to recovery of 110 litres of
Mahua wine and mahua flower from Chalo Hilly.

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 recovery or with the
place of occurrence. The name of the petitioner has been
disclosed in this case by the local chowkidar before the police,
which has got no evidentiary value in the eye of law. Neither the
petitioner was arrested on spot nor any incriminating article has



been recovered from his conscious possession. He is languishing in judicial custody since 13.10.2022.

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 Special Judge Excise, Court No. 02 Gaya in connection with Gurua P.S. Case No. 135 of 2022.

(Sunil Kumar Panwar, J)

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