

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74034 of 2022

Arising Out of PS. Case No.-974 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- East Champaran

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NAWAL BAITHA Son of Rajeshwar Baitha Resident of Village- Yadopur
Bakhari, P.S.- Dhaka, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Abhishek Kumar
For the Opposite Party/s : Mr.Surendra Kumar

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 22-03-2023 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 30(a) of the Bihar
Prohibition and Excise Act.

Prosecution case relates to recovery of 117 litres of
nepali liquor kept in bag from the motorcycle of which
petitioner was driver and he was arrested on spot while he was
entering into the Indian territory from Nepal.

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no
offence. He has been implicated in this case due to high
handedness of the police and they are also the witnesses of the



alleged seizure list. Petitioner is languishing in judicial custody since 11.10.2022.

Learned APP appearing for the State has opposed the prayer of Bail.

Petitioner is directed to deposit Rs. 20,000/- (Rs. Twenty thousand) in the concerned DLSA.

Having heard learned counsel for the parties and considering the above facts and custody of the petitioner, 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.-2, East Champaran, Motihari in connection with Excise P.S. Case No. 974 of 2022.

The bail bonds of the petitioner shall be accepted by the learned court below on showing receipt of deposit of Rs. 20,000/- (twenty thousand only) by the petitioner in the account of concerned DLSA.

(Sunil Kumar Panwar, J)

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