

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76381 of 2023

Arising Out of PS. Case No.-102 Year-2023 Thana- TARABARI District- Araria

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ASHISH KUMAR SAH SON OF GAYANAND SAH RESIDENT OF
VILLAGE- KABILASI, WARD NO 7, PS- SIMHARA, DISTRICT
-ARARIA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Nadimul Hasan

For the Opposite Party/s : Mr.Lakshmi Kant Sharma

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 01-12-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 272, 273 of the Indian Penal Code and section 30(a) of the Bihar Prohibition and Excise Act.

3. According to the FIR, the petitioner was arrested on spot with a vehicle from where, total 135 liters of illicit liquor was recovered.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this present case. Petitioner has no concern with the alleged recovery



of illicit liquor or with the place of occurrence. He is only passenger of the vehicle. No any incriminating article has been recovered from conscious possession of the petitioner. The petitioner is languishing in judicial custody since 18.8.2023.

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

6. 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 released on bail in connection with Tarabari P.S. Case No. 102 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive special Excise Court 2, Araria.

(Sunil Kumar Panwar, J)

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