

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80389 of 2023

Arising Out of PS. Case No.-418 Year-2023 Thana- Excise P.S. District- Bhagalpur

Shatrughan Kumar Sah Son Of Kailash Sah R/O Village- Dariyapur, P.S.-
Balbadda, District- Godda (Jharkhand)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Diwakar Yadav

For the Opposite Party/s : Mr.Syed Mojibur Rahman

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 14-12-2023 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 section 30(a), of the Bihar Prohibition and Excise Act.

3. As per FIR, prosecution case relates to recovery of 10.80 liter foreign made liquor from the motorcycle of the petitioner and he was also arrested on the spot.

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 merely on the basis of suspicion. The petitioner has no concern with the alleged recovery and he has got no



criminal antecedent. It is further submitted that the petitioner is languishing in judicial custody since 06.09.2023.

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 as well as judicial custody, this court is inclined to enlarge the petitioner on bail **after framing of charge, if not framed**. The above named petitioner is directed to be released on bail in connection with Excise Sadar P.S. Case No. 418 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 Judge-I, Bhagalpur.

(Sunil Kumar Panwar, J)

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