

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79011 of 2023

Arising Out of PS. Case No.-330 Year-2023 Thana- DIGHWARA District- Saran

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GANESH KUMAR RAI S/O SRI RAJENDRA RAY VILLAGE- ISHUPUR
NAWAL TOLA, PS. DIGHWARA, DIST. SARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Nalin Kumar

For the Opposite Party/s : Mr.Humayou Ahmad Khan

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 07-12-2023 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 150 liters illegal liquor behind the house of the petitioner.

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 was also not apprehended from the place of recovery. No any incriminating



article has been recovered from conscious possession of the petitioner. It is further submitted that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 17.09.2023.

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. The above named petitioner is directed to be released on bail in connection with Dighwara P.S. Case No. 330 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 First Exclusive Special Excise Court, Saran at Chapra.

(Sunil Kumar Panwar, J)

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