

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75030 of 2022

Arising Out of PS. Case No.-813 Year-2022 Thana- KANTI District- Muzaffarpur

BHOLA KUMAR S/O KISHORI SAHNI @ KISHOR SAHNI Resident of
village- Chaturi Punash, P.S.- Ahiyapur, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun Kumar Bhagat

For the Opposite Party/s : Mr. Anil Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 25-02-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections, 420, 468, 467, 471/34 of the IPC and Sections 30(a), 32(i), 32(ii), 36 and 41(i) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 2385.00 liters country made foreign liquor from a container bearing Registration No. GT09Z-2526.

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 or with the container in question from where the illicit liquor has been seized. No any incriminating article has been recovered from



conscious or constructive possession of the petitioner. A statement has been made in para-3 of the petition that the petitioner has got no criminal antecedent. The petitioner is languishing in judicial custody since 27.11.2022.

Learned APP appearing for the State has vehemently 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 released on bail in connection with Kanti P.S. Case No. 813 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Court of Exclusive Special Judge (Excise), Court No.-II, Muzaffarpur.

(Sunil Kumar Panwar, J)

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