

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77102 of 2023

Arising Out of PS. Case No.-227 Year-2023 Thana- BIHIA District- Bhojpur

Yogendra Ram S/O Kishun Bihari Ram R/O Village- Sushiya, P.S- Shahpur,
Distt.- Bhojpur.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Singh

For the Opposite Party/s : Mr.Nagendra Prasad

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 04-12-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has prayed for bail in a case in
which he is languishing in judicial custody registered for
the offence punishable under sections 30(a) of the Bihar
Prohibition and Excise Act.

Prosecution case relates to recovery of 70 litres
of country made liquor from a motorcycle bearing Reg.
No. BR-03AK-0223 which is alleged to be driven by the
petitioner.

It is submitted by learned counsel for the
petitioner that petitioner has falsely been implicated in



the present case. Nothing has been recovered from the conscious possession of the petitioner. There is no independent witness of the alleged seizure.

In contra, learned A.P.P. appearing for the State vehemently opposed the prayer of bail and submitted that petitioner is driving the motorcycle from which huge quantity of liquor has been recovered.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioners on bail. The above named petitioners are 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 Exclusive Special Excise Court I, Bhojpur, Ara in connection with Bihiya P.S. Case No. 227 of 2023.

The petitioner is directed to deposit a sum of Rs. 5,000/-(Rupees Five Thousands) in the concerned District Legal Services Authority.



The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of Rs. 5,000/-(Rupees Five Thousands) in District Legal Services Authority of concerned District.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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