

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.150 of 2023

Arising Out of PS. Case No.-550 Year-2022 Thana- GARDANIBAG District- Patna

Kundan Kumar Son Of Binay Kumar Prasad R/O Village- Tetri Chak, P.S.-
Dhanarua, District- Patna

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajeev Kumar

For the Opposite Party/s : Mr.Arvind Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 04-05-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has prayed for bail in a case
registered for the offence punishable under sections
30(a)/34 of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 108 litres
of country made liquor from a car bearing Reg. No. BR-
01AP-6047. The petitioner and co-accused Manish
Kumar were alleged to be apprehended on spot.

It is submitted by learned counsel for the
petitioner that petitioner is innocent and he has falsely
been implicated in the present case. He has no concern



either with the vehicle or with the seized liquor. Moreover, the petitioner is languishing in judicial custody since 23.09.2022.

In contra, learned A.P.P. appearing on behalf of State vehemently opposed the prayer of Bail and submitted that petitioner was apprehended from the vehicle from which huge amount of liquor has been recovered.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period under custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is 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 Special Judge, Excise Amendment Act, Patna in connection with Gardanibagh P.S. Case No. 550 of 2022.

The petitioner is directed to deposit a sum of



Rs. 10,000/-(Rupees Ten 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. 10,000/-(Rupees Ten Thousands) in District Legal
Services Authority of concerned District.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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