

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3950 of 2023

Arising Out of PS. Case No.-219 Year-2021 Thana- DURGAWATI District- Kaimur (Bhabua)

Chhotu Kumar Son Of Shivi Soni @ Shivji Sonar @ Shio Jee Soni R/O
Village- Kateyan, P.S.- Bihia, District- Bhojpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raju Kumar Singh

For the Opposite Party/s : Mr.Indu Kumari Srivastava

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 04-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner prayed for regular bail in connection with Durgawati P.S. Case No. 219 of 2021 instituted for the offence under Sections 30(a)/41(a) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 311.57 liters illicit liquor from petitioner's pickup van bearing Reg. No. BR03GB-3716. Thereafter this case has been lodged.

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. He has got no



criminal antecedent. Petitioner has no concern with the alleged recovery or with the place of occurrence rather vehicle in question belongs to him. No any incriminating article has been recovered from his possession. It is further submitted that the said alleged vehicle has been given to driver for the purpose of running business and as such no case is made out against the petitioner as alleged in the FIR. The petitioner is languishing in judicial custody since 24.11.2022.

Learned APP appearing for the State has vehemently opposed the prayer of Bail.

The petitioner is directed to deposit a sum of Rs 20,000/- (Twenty Thousand) in the District Legal Services Authority of concerned District.

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 Durgawati P.S. Case No. 219 of 2021 on furnishing bail bond of Rs.20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge Excise Court No-II, Kaimur at Bhabhua.



The bail bonds of the petitioner shall be accepted by the learned court below on showing the receipt of deposit of Rs. 20,000/- (Rs. Twenty thousand) by the petitioner in the account of the concerned DLSA.

(Sunil Kumar Panwar, J)

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