

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80179 of 2023**

Arising Out of PS. Case No.-229 Year-2023 Thana- GOPALPUR District- Gopalganj

Md Chand S/O Md. Farrukh Village- Unsar, Ps. Bochaha, Dist. Muzaffarpur,
Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kanchan Kumari

For the Opposite Party/s : Mr.Rana Randhir Singh

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

2 13-12-2023 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. Prosecution case relates to recovery of 206 liters of country made liquor from a Car bearing Reg. No. BR01AU4490 and this petitioner was arrested by the police on spot.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner and he has no concern either with the seized liquor or with the vehicle in question. He was just sitting behind the car and the driver could



manage to flee from there. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 14.09.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Gopalpur P.S. Case No. 229 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 Additional District and Sessions Judge-IV-cum-Exclusive Spl. Excise Court-II, Gopalganj.

(Sunil Kumar Panwar, J)

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