

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.104 of 2023

Arising Out of PS. Case No.-718 Year-2022 Thana- KOILWAR District- Bhojpur

Sudhir Kumar Son Of Suraj Lal Yadav R/O Village- Gundi, P.S.- Krishnagarh,
District- Bhojpur

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Kumar Verma

For the Opposite Party/s : Mr.Madan Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 29-03-2023 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) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 200
litres of country made liquor from a Tempo bearing
registration number BR-03P-8013.

It is submitted by learned counsel for the
petitioner that petitioner is innocent and he has falsely
been implicated in the present case. It is also submitted
that petitioner has no concern either with the seized illicit



liquor or with the Tempo in question. He is only a passenger of the said Tempo. There is no independence witness of the alleged seizure, which violates the Section 100 of Cr.P.C. Moreover, the Petitioner is languishing in judicial custody since 21.11.2022. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

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 Judge II, Bhojpur, Ara in connection with Koilwar (Gidha O.P.) P.S. Case No. 718 of 2022.

The petitioner is directed to deposit a sum of Rs. 10,000/-(RupeesTen 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)

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