

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.782 of 2023

Arising Out of PS. Case No.-522 Year-2022 Thana- SASARAM NAGAR District- Rohtas

Nilmani Bindu @ Bhaggi Kumar Son Of Dhruv Singh R/O Village/Mohalla-
Mahavir Asthan, Kuraich, P.S.- Sasaram Town, District- Rohtas

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Choubey Jawahar

For the Opposite Party/s : Mr.Ram Naresh Ray

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 27-03-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has filed the instant application for grant of regular bail in connection with Sasaram Town P.S. Case No. 522 of 2022 registered under sections 341, 353 and 323 of the Indian Penal Code and Section 30(a) of Bihar Prohibition & Excise Act, 2018.

Prosecution case relates to recovery of 90.86 liters of country made liquor from the possession of the petitioner and two mobiles from the petitioner and co-accused person.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case at the instance of his enemies. It is further submitted that the recovery has been made



in open space and nothing has been recovered from the conscious possession of the petitioner. He has no concern either with the seized illicit liquor or with this alleged offence. There is no independent witness of the alleged occurrence. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. He is languishing in judicial custody since 15.09.2022.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as the custody of the petitioner, the Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Sasaram Town P.S. Case No. 522 of 2022 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Court No.2 Cum-Additional District & Sessions Judge, Rohtas at Sasaram.

(Sunil Kumar Panwar, J)

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