

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81167 of 2023

Arising Out of PS. Case No.-278 Year-2023 Thana- SIDHWALIYA District- Gopalganj

Sanjay Tiwari S/O Binda Tiwari R/O Village- Bakhari, Ps. Motipur, Distt.
Muzaffarpur

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sushil Kumar

For the Opposite Party/s : Mr.Umeshanand Pandit

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 18-12-2023 Learned counsel for the petitioner is permitted to make necessary correction in the petitioner during course of the day.

2. Heard learned counsel for the petitioner and learned APP for the state.

3. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 30(a), 41 of the Bihar Prohibition and Excise Act.

4. The petitioner along with other co-accused persons are said to have been apprehended with a Bolero vehicle bearing Registration no. BR06PA-3091 from where, total 209 liters of illicit foreign liquor was recovered.

5. 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. He has got no criminal antecedent. It is also submitted that the petitioner is owner of the seized vehicle but he no concern with the alleged recovery of illicit liquor. No any incriminating article has been recovered from his possession. He is languishing in judicial custody since 7.9.2023.

6. Learned APP appearing for the State has vehemently opposed the prayer of Bail and submitted that the petitioner is apprehended on spot with the alleged recovery of illicit.

7. The petitioner is directed to deposit a sum of **Rs 10,000/- (Ten Thousand)** in the District Legal Services Authority of concerned District.

8. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Sidhwaliya P.S. Case No. 278 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 Sessions Judge-II-Cum-Special Judge, Excise Court-I, Gopalganj.

9. The bail bonds of the petitioner shall be accepted



by the learned court below on showing the receipt of deposit of
Rs. 10,000/- (Rs. Ten thousand) in the account of the
concerned DLSA.

(Sunil Kumar Panwar, J)

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