

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82745 of 2023

Arising Out of PS. Case No.-343 Year-2023 Thana- WARISNAGAR District- Samastipur

Vimlesh Kumar @ Bimlesh Kumar Son Of Dev Narayan Mahto Resident Of
Village - Mathurapur Ward No.12, P.S. - Warisnagar (MATHURAPUR O.P.),
District - Samastipur

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dilip Kumar Roy

For the Opposite Party/s : Mr.Mohammed Arif

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 20-12-2023 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 338.4 litres of
IMFL from a car bearing Reg. No. BR-01FU-1174. Petitioner
was apprehended on spot.

Learned counsel appearing on behalf of the
petitioner has submitted that petitioner is innocent and has
committed no offence. He has no concern with the alleged
recovery or with the vehicle in question. He is only
passenger of the aforesaid car and took lift in it. Nothing



incriminating has been recovered from the conscious possession of the petitioner. Moreover, the petitioner is languishing in judicial custody since 26.09.2023. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

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

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 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 Special judge Excise II, Samastipur in connection with Warisnagar (Mathurapur O.P.) P.S. Case No. 343 of 2023.

(Sunil Kumar Panwar, J)

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