

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82308 of 2023

Arising Out of PS. Case No.-250 Year-2023 Thana- DIDARGANJ District- Patna

PRABHAKAR KUMAR SON OF RAJ KUMAR NISHAD @ RAJ KUMAR PRASAD RESIDENT OF VILLAGE- MANPUR BAIRIYA, PS-GOPALPUR, DIST- PATNA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jay Ram Prasad

For the Opposite Party/s : Mr.Suresh Prasad Singh

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 filed the instant application for grant of regular bail in connection with Didarganj P.S. Case No. 250 of 2023 registered under section 30(a), 36 of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 800 liter country made liquor from Tata Magic.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The petitioner being owner the alleged vehicle falsely been implicated in this case. It is further submitted that nothing incriminating has been recovered from the conscious possession



of the petitioner and he has no concern with the seized illicit liquor. There is no independent witness of the seizure list. The petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 16.10.2023.

The application for bail is opposed by learned APP for the State and submitted that the petitioner has been arrested on spot with the said vehicle by the police where the recovery has been made.

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

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 Didarganj P.S. Case No. 250 of 2023 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 Special Judge, Excise Patna City.

The bail bonds of the petitioner shall be accepted by the learned lower Court below on showing the receipt of deposit



of Rs. 10,000/- (Rs. Ten Thousand) by the petitioner in the
account of concerned DLSA.

(Sunil Kumar Panwar, J)

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