

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79189 of 2023

Arising Out of PS. Case No.-305 Year-2023 Thana- GURUA District- Gaya

SANJAY TIRKI @ MAHESH BHANDARI SON OF LATE JAGGU TIRKI
RESIDENT OF VILLAGE - SAUDAGAR MOHALLA, P.S. - RAMGARH,
DISTRICT - RAMGARH, JHARKHAND

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vinod Kumar

For the Opposite Party/s : Mr.Suman Kumari Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 07-12-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner prayed for regular bail in connection with Gurua P.S. Case No. 305 of 2023 instituted for the offence under Sections 30(a), 33 and 41 of the Bihar Prohibition and Excise Amendment Act.

As per FIR, the petitioner was apprehended on the spot and from a Bolero Car bearing Reg. No. BR26J-5376, total 600 liters of spirit was recovered.

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. Petitioner has no concern with the alleged recovery nor vehicle in question belongs to him. It is further submitted that nothing incriminating article or liquor has been recovered from his conscious possession. The petitioner is languishing in judicial custody since 24.06.2023.

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

The petitioner being driver of the alleged vehicle is directed to deposit a sum of **Rs 5,000/- (Five Thousand)** in the District Legal Services Authority of concerned District.

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 Gurua P.S. Case No. 305 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-cum-Exclusive Special Excise Judge Court No.2, Gaya.



The bail bond of the petitioner shall be accepted by the learned court below on showing the receipt of deposit of **Rs. 5,000/- (Rs. Five Thousand)** by the petitioner in the account of the concerned DLSA.

(Sunil Kumar Panwar, J)

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