

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81875 of 2023

Arising Out of PS. Case No.-265 Year-2023 Thana- LADANIA District- Madhubani

AWDHESH KUMAR SAH SON OF BAIDHYANATH SAH R/O
VILLAGE- KHUTAUNA, P.S.- KHUTAUNA, DIST.- MADHUBANI,
BIHAR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Kumar Bharti

For the Opposite Party/s : Mr.Murlidhar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 19-12-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
instituted for the offence under Section 30(a) of the Bihar
Prohibition and Excise Act.

3. As per prosecution case, there has been recovery of
59.580 liters of illegal liquor from a motorcycle, which was
being driven by the petitioner.



4. It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. He has committed no offence. Petitioner was apprehended on spot. He submitted that the petitioner has no concern with the seized liquor. Nothing incriminating article has been recovered from the conscious possession of the petitioner. Petitioner has got no criminal antecedent as stated in para-3 of the bail petition. He is languishing in judicial custody since 05.10.2023.

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

6. The petitioner is directed to deposit Rs. 5,000/- (Five thousand) in the account of concerned DLSA.

7. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, 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 Additional Session Judge-II-cum-Special Judge Excise Act, Madhubani in connection with Ladaniya P.S. Case No. 265 of 2023.

8. The bail bond of the petitioner shall be accepted by



the learned Court below on showing receipt of deposit of Rs.
5,000/- (Five thousand) by the petitioner in the account of
concerned DLSA.

(Sunil Kumar Panwar, J)

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