

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4182 of 2023

Arising Out of PS. Case No.-92 Year-2022 Thana- KALER District- Jehanabad

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KUMOD KUMAR S/O SATRUGHAN RAM Resident of village- Manjhaul, Mahmadpur, P.S.- Saraiya, District- Vaishali at Hajipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Niranjan Parihar

For the Opposite Party/s : Mr.Mritunjay Kumar Nirala

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 05-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

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

The prosecution story, in brief, is that when the police party was on patrolling duty arrested the petitioner along with other co-accused persons and seized a Tata Turbo vehicle. Upon search, huge quantity of 1411.56 liters liquor was recovered from the said vehicle.

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. Petitioner is neither owner nor driver of the said vehicle from



where the recovery has been made and he has no concern with the alleged incriminating illicit liquor. Nothing incriminating article has been recovered from his conscious or constructive possession. It is further submitted that the petitioner is languishing in judicial custody since 19.10.2022.

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

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Kaler P.S. Case No. 92 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge Excise IInd, Jehanabad.

(Sunil Kumar Panwar, J)

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