

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81393 of 2023

Arising Out of PS. Case No.-110 Year-2022 Thana- KOPA District- Saran

Bhuwali Manjhi S/O Lalan Manjhi Village- Nasira, Ps. Daudpur, Dist. Saran.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bishwajeet Singh

For the Opposite Party/s : Mr.Mukesh Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 18-12-2023 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, 30(a) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 200 litres of country made liquor from a car bearing Reg. No. DL-4CAG-1394. Apprehended co-accused persons disclosed that the seized liquor was to deliver to the petitioner.

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 place of occurrence. He has no concern with the vehicle in question. The name of the petitioner has been disclosed in this case by the apprehended co-accused before the police, which has got no evidentiary value in the eye of law. Neither the petitioner was arrested on spot nor any incriminating article has been recovered from his conscious possession. There is no independent witness of the alleged seizure. Moreover, the petitioner is languishing in judicial custody since 21.09.2023. 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 Excise Judge
III, Saran, Chapra in connection with Kopa P.S. Case
No. 110 of 2022.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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