

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82252 of 2023

Arising Out of PS. Case No.-761 Year-2023 Thana- Excise P.S. District- Aurangabad

Abhishek Kumar Son Of Ranjan Paswan R/O Village- Tarar, P.S.- Daudnagar,
District- Aurangabad (BIHAR)

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Aman Vishal

For the Opposite Party/s : Mr.Amitesh Kumar

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.

The petitioner has prayed for bail in a case registered for the offence punishable under sections 30(a), 32(1), 32(3) of the Bihar Prohibition and Excise (Amendment) Act and Section 41(1), 41(2) of Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 145.980 litres of country made liquor from a three wheeler goods carrier vehicle bearing Reg. No. BR-26E-8122. Petitioner is alleged to be driver of the aforesaid vehicle and apprehended on spot.



It is submitted by learned counsel for the petitioner that petitioner is innocent and he has falsely been implicated in the present case. Nothing has been recovered from the conscious possession of the petitioner. He has no concern with the alleged recovery. Moreover, he is languishing in judicial custody since 01.10.2023. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

In contra, learned A.P.P. appearing on behalf of State, vehemently opposed the prayer of bail and submitted that petitioner is driver of the alleged vehicle.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioners on bail. The above named petitioners are 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 Judge, Excise II, Aurangabad in connection with Excise P.S. Case No.



761 of 2023.

The petitioner is directed to deposit a sum of Rs. 5,000/-(Rupees Five Thousands) in the concerned District Legal Services Authority.

The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of Rs. 5,000/-(Rupees Five Thousands) in District Legal Services Authority of concerned District.

(Sunil Kumar Panwar, J)

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