

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82765 of 2023

Arising Out of PS. Case No.-1767 Year-2023 Thana- Excise P.S. District- Gaya

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SUJEET KUMAR SON OF KULDEEP YADAV R/O VILLAGE-
KUSUMHAR, P.S.- WAZIRGANJ, DISTRICT- GAYA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Durgesh Nandan

For the Opposite Party/s : Mr.Syed Ehteshamuddin

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 20-12-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner prayed for regular bail in connection with Excise P.S. Case No. 1767 of 2023 instituted for the offence under Sections 30(a) and 56(b) of the Bihar Prohibition and Excise (Amendment) Act.

As per FIR, the petitioner was apprehended on the spot and from a car bearing Reg. No. BR02J-0651, total 150 liters illicit liquor 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. Seizure list has not been prepared as per provision of Section 100 of the Cr.P.C. It is further submitted that nothing incriminating article has been recovered from his conscious possession. The petitioner is languishing in judicial custody since 08.10.2023.

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

The petitioner 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 Excise P.S. Case No. 1767 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 court of Exclusive Excise Court No.3, 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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