

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82258 of 2023

Arising Out of PS. Case No.-408 Year-2023 Thana- NAANPUR District- Sitamarhi

Prabhat Kumar Son Of Late Shahdeo Mahto Resident Of Village-
Mahmadpur, Police Station- Nanpur, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ratneshwar Prasad

For the Opposite Party/s : Mr.Umanath Mishra

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.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 420 and 120B of the Indian Penal Code and Sections 30(i), 32(2) (3), 36, 41(1,2) of the Bihar Prohibition and Excise Act.

3. Prosecution case relates to recovery of total 3114 liters of illicit liquor from a container bearing Reg. No. RJ01GC-7694 and this petitioner was apprehended by police on spot.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner and also he has



no concern either with the seized liquor or with the co-accused person. The driver of seized container is one Ram Sawrupa not this petitioner. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial since 16.08.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as 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 Nanpur P.S. Case No. 408 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 Special Judge, Exclusive Excise Court No.II, Sitamarhi.

(Sunil Kumar Panwar, J)

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