

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80834 of 2023

Arising Out of PS. Case No.-803 Year-2023 Thana- MOHANIYA District- Kaimur (Bhabua)

AKASH @ AKASH KUMAR SON OF JAGDEO PRASAD R/O VILLAGE-
DHIRACHAK ANISABAD, WARD NO. 10, LAL MANDIR, P.S.-
ANISABAD, DIST.- PATNA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dimpal Kumari

For the Opposite Party/s : Mr.Madhura Nand Jha

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 14-12-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner prayed for regular bail in
connection with Mohania P.S. Case No.803 of 2023
instituted for the offence under Sections 30(a) and 47 of the
Bihar Prohibition and Excise (Amendment) Act.

As per FIR, the petitioner was apprehended on the
spot and from his Maruti Ciaz Car bearing Reg. No. BR01-
HH-4581, total 167.25 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 of liquor. It is further submitted that nothing incriminating article has been recovered from his conscious possession. The petitioner is languishing in judicial custody since 17.11.2023.

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 Mohania P.S. Case No.803 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 Additional District and Sessions Judge-IV/Special Judge Excise No.1, Kaimur at Bhabhua.

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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