

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3932 of 2024**

Arising Out of PS. Case No.-851 Year-2023 Thana- Excise P.S. District- Banka

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Kunal Kumar S/O Ashok Singh Village- Saraiya Ward No. 13, Ps. Sikra, Dist. Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Md.Najmul Hodda
For the Opposite Party/s : Mr.Kanhiya Kishor

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 01-02-2024 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner is languishing in custody in a case registered for the offences punishable under Sections 30(a), 41, and 47 of the Bihar Prohibition & Excise Act.

There is recovery of 3879.360 litres of illicit Indian made foreign liquor from three pick-up vans.

It is submitted by learned counsel for the petitioner that petitioner is innocent and he has falsely



been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. The petitioner was only a driver of one of the pick-up vans and he has no concern with the illicit liquor. The petitioner is languishing in custody since 08.11.2023. 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 the State has vehemently opposed the prayer for bail of the petitioner.

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

Considering the facts aforesaid and the period under custody, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousands) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge-V, Banka in connection with Banka



Excise Case No. 851 of 2023.

(Sunil Kumar Panwar, J)

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