

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.679 of 2024

Arising Out of PS. Case No.-1717 Year-2023 Thana- Excise P.S. District- Gaya

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Aakash Kumar son of Late Sudhir Vishwakarma village Kamranganj
(Sapulhaganj) B.M.P.-2 PS Indrapuri, District - Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Santosh Kumar Pandey

For the Opposite Party/s : Mr.Anand Kishore Choudhary

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 23-01-2024 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), 56(b) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 108
litres of illicit liquor from a car bearing Reg. No. UP-61P-
3011. Petitioner is alleged to be the driver of 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 this case. Nothing has been recovered



from the conscious possession of the petitioner. He has no concern in any manner from the alleged recovered illicit liquor. There is no independent witness of the alleged seizure. Moreover, the petitioner is languishing in judicial custody since 29.09.2023.

In contra, learned A.P.P. appearing for State vehemently opposed the prayer of bail and submitted that petitioner was apprehended on spot.

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 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 Exclusive Excise Court No. III, Gaya in connection with Gaya Excise P.S. Case No. 1717 of 2023.

The petitioner is directed to deposit a sum of Rs. 10,000/-(Rupees Ten 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. 10,000/-(Rupees Ten Thousands) in District Legal Services Authority of concerned District.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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