

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.18134 of 2024**

Arising Out of PS. Case No.-423 Year-2023 Thana- BAHADURPUR District- Patna

Aakash Kumar S/o Late Umesh Sahani @ Umesh Sahni R/o vill - Sandalpur,  
P.s. - Bahadurpur, Distt. - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Jay Ram Prasad

For the Opposite Party/s : Mr.Sucheta Yadav

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

3      26-04-2024                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner has prayed for bail in a case registered for the offence punishable under sections 30(a)/36 of the Bihar Prohibition and Excise Act.

3. Prosecution case relates to recovery of 120 litres of illicit country made liquor from nearby pond and on seeing the police party, three accused persons including the petitioner managed to escape.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has got no criminal antecedent. He has no concern with the alleged recovery or with the place of occurrence. The name of the petitioner has been dragged in this



case only on the basis of mere suspicion. Neither the petitioner was arrested on spot nor any incriminating article has been recovered from his conscious possession. Similarly situated other accused person has already been enlarged on bail this Court vide order dated 22.2.2024 passed in Cr. Misc. No. 10660 of 2024. He is languishing in judicial custody since 22.1.2024.

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

6. 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 Special Judge Excise, Patna City in connection with Bahadurpur P.S. Case No. 423 of 2023.

**(Sunil Kumar Panwar, J)**

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