

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29398 of 2024

Arising Out of PS. Case No.-192 Year-2023 Thana- AMBA District- Aurangabad

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Anshu Kumar son of late Vinod Yadav Village- Tankupi Ps- Haspura Dist-
Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukul Kumari
For the Opposite Party/s : Mr. Dashrath Mehta

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 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) of the
Bihar Prohibition and Excise Amendment Act.

3. Prosecution case relates to recovery of 169.32
litres of illicit liquor from an auto bearing Reg. No. BR 56A
4250 and co-accused Dharmendra Kumar was apprehended on
spot who disclosed the name of the fleeing person as driver
(petitioner).

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



petitioner has been disclosed in this case by the apprehended co-accused before the police, which has got no evidentiary value in the eye of law. Neither the petitioner was arrested on spot nor any incriminating article has been recovered from his conscious possession. He is languishing in judicial custody since 5.3.2024.

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 of Excise-01, Aurangabad in connection with Amba P.S. Case No. 192 of 2023.

(Sunil Kumar Panwar, J)

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