

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35820 of 2024

Arising Out of PS. Case No.-65 Year-2024 Thana- DURGAWATI District- Kaimur (Bhabua)

Om Prakash Singh @ O. P. G Son of Bhanu Pratap Singh R/O Village- Mahro
Khurd, P.S.- Mohania, Dist- Kaimur At Bhabua

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan, Adv

For the Opposite Party/s : Mr. Choubey Jawahar, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 09-05-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Durgawati Excise P.S. Case No. 65 of 2024 dated 13.03.2024 registered for the offences punishable u/s 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 129.120 litres of illicit foreign made liquor was recovered from the dicky of the car.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner has no concern with the alleged



recovery. The name of the petitioner was disclosed by the co-accused *Sunni Kumar*. The petitioner is not the owner of the said vehicle and the same was not being driven by him at the time of the alleged recovery. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has one criminal antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 13.03.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the nature of allegation against the petitioner and the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Kaimur at Bhabhua, in connection with Durgawati Excise P.S. Case No. 65 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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