

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35569 of 2024

Arising Out of PS. Case No.-120 Year-2024 Thana- KUCHAIKOTE District- Gopalganj

Sanjay Tiwari @ Sanjay Tirpathi Son of Late Dhanesh Tiwari Resident of
Village- Kaithwaliya, P.S- Khorabar, Dist- Gorakhpur, State- U.P.

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Adarsh Ranjan, Advocate

For the Opposite Party/s : Mr. Bishweshwar Ram, APP

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

ORAL ORDER

2 08-05-2024 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 Kuchaikote P.S Case No. 120 of 2024 dated 19.03.2024 registered for the offences punishable u/ss 30(a), 32(2), 41(1) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 2000 litres of spirit was recovered from the truck driven by the petitioner.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has no concern with



the alleged recovery. The petitioner is not the owner of the seized vehicle rather he is the driver of the vehicle. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 20.03.2024.

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 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, Gopalganj in connection with Kuchaikote P.S Case No. 120 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

Ranjeet/-

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