

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39262 of 2024

Arising Out of PS. Case No.-50 Year-2024 Thana- KISHANPUR District- Supaul

Vishwamohan Kumar SON OF Brahamdeo Sah VILLAGE- KATAIYA
WARD NO. 13 PS- PIPRA, DIST- SUPAUL

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Nafisu Zzoha, Adv.

For the Opposite Party/s : Mr. Dashrath Mehta, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 29-05-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with Kishanpur P.S. Case No. 50 of 2024, lodged on 01.03.2024 under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per the prosecution case, FIR has been lodged against two named accused persons including the present petitioner. Total 387 *litres* of Nepali liquor has been recovered which is the subject matter of the present case.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel also submits that the said alleged recovery of nepali liquor has been made from a pick up van in which the petitioner and other



accused persons were apprehended. Counsel further submits that the criminal antecedent of the petitioner is clean and he is in custody since 01.03.2024. Counsel also submits that the petitioner is neither owner nor driver of the vehicle, rather, he is an innocent passenger who has taken lift from the said pick up van to visit at nearby village and in the meantime, the police arrested the petitioner.

5. Learned APP for the State opposes the prayer for bail of the petitioner.

6. In the present facts and circumstances of this case and the submissions made above, **let the petitioner above named be granted bail** on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Excise Court No.1, Supaul in connection with Kishanpur P.S. Case No. 50 of 2024, subject to the conditions as laid down U/s 437(3) Cr.P.C.

(Dr. Anshuman, J.)

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