

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.42084 of 2024**

Arising Out of PS. Case No.-720 Year-2023 Thana- SHERGHATI District- Gaya

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MALKIT SINGH S/O LATE DILIP SINGH R/O VILLAGE- SOHANA, P.S-  
SOHANA, DISTT.- MOHALI (PUNJAB).

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Pramod Kumar Singh, Adv.

For the Opposite Party/s : Mr.Gauri Shankar Gupta, APP

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

ORAL ORDER

2      20-06-2024                      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 Sherghatty P.S. Case No. 720 of 2023 dated 06.07.2023 registered for the offences punishable u/ss 30(a), 32(i)(ii), 36 and 41(i) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 3632.76 litres of illicit foreign liquor was recovered from the truck.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The name of the petitioner has surfaced in this case merely on suspicion. The petitioner is not the owner of the said



vehicle. The petitioner is only the driver of the said vehicle and he has no concern with the alleged recovery. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has no criminal antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 06.07.2023.

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, Gaya in connection with Sherghatty P.S. Case No. 720 of 2023.

7. The application stands allowed.

**(Chandra Prakash Singh, J)**

Gautam/-

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