

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41491 of 2024

Arising Out of PS. Case No.-53 Year-2024 Thana- BAUNSI District- Banka

Shivam Kumar Son Of Prakash Mandal Resident Of Vill- Acharaj, P.S.-
Bounsi, District- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar, Adv.

For the Opposite Party/s : Ms. Asha Devi, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 18-07-2024 Heard learned counsel for the petitioner and learned
counsel for the State.

2. The petitioner apprehends arrest in connection with
Bounsi P.S. Case No. 53 of 2024 registered under Sections 30(a)
and 47 of Bihar Excise Act.

3. As per prosecution case, during course of patrolling,
101.625 liters illicit liquor was recovered from Tata Nexon Car
and one Pulsar Motorcycle was seized.

4. Learned counsel appearing on behalf of the petitioner
submits that petitioner is innocent and has falsely been
implicated in the present case only because the seized
motorcycle in question belongs to the petitioner but nothing has
been recovered from this motorcycle. Further submission is that
the alleged recovery has been made from Tata Nexon Car which



does not belong to the petitioner. Nothing has been recovered from the conscious possession of the petitioner. Petitioner has got no criminal antecedent.

5. Having considered the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of arrest or surrender before the learned court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000 (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional District and Sessions Judge-II, Banka in connection with Bounsi P.S. Case No. 53 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Prabhat Kumar Singh, J)

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