

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60631 of 2024

Arising Out of PS. Case No.-589 Year-2024 Thana- Excise P.S. District- West Champaran

Diwakar kumar S/o Madan Paswan R/o vill - Balua Rampurwa, ward no. 13,
P.S. - Bairiya, Distt. - West Champaran Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raki Alam
For the Opposite Party/s : Mr.Nitya Nand Tiwary

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 02-09-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in a case registered for the offence punishable under section 30(a) of the Bihar Prohibition and Excise Act.

3. As per allegation in the FIR, acting on a tip off police started vehicle checking and during that course, two persons seen coming by motorcycle with two plastic bags tied on back seat. On seeing the police team, they started to run but after chase police team caught hold two accused persons including the petitioner. On search 73.800 liters of illicit liquor was recovered from plastic bags.

4. It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. The alleged recovery is planted one by the police officials due to



their high handedness as the same recovery has been made from another accused and petitioner was simply standing there to look at the activity of police officials. He has no concern either with the seized liquor or with the vehicle in question. Seizure list does not bear the signature of the petitioner. Petitioner is languishing in judicial custody since 21.7.2024.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge Excise-1, Bettiah, West Champaran in connection with Excise P.S. Case No. 589 of 2024 **but his bail bonds shall be accepted after a period of two months**, subject to the condition that petitioner shall cooperate in the disposal of trial and be available as and when required by he court.

(Nawneet Kumar Pandey, J)

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