

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71850 of 2024**

Arising Out of PS. Case No.-126 Year-2024 Thana- KURSAILA District- Katihar

Kanhaiya Kumar @ Kanhaiya Kumar Sharma @ Kanhaiya Sharma Son of
Sanjay Sharma Resident of Village- Chhoti Simra, P.S.- Naugachhia, Distt.-
Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dr.Kamal Deo Sharma, Adv.
For the Opposite Party/s : Mr.Nityanand, APP

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

ORAL ORDER

2 03-10-2024 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 Kursela P.S. Case No. 126 of
2024 dated 13.07.2024 registered for the offences punishable u/s
30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 507.240 litres of
illicit foreign liquor was recovered from the Pick-up van.

4. Learned counsel for the petitioner has submitted that
the petitioner is innocent and has falsely been implicated in this
case. The petitioner is neither the owner nor the driver of the said
vehicle. Nothing has been recovered from the conscious
possession of the petitioner. The petitioner has no concern with the



alleged recovery. The co-accused person has already been granted regular bail by this court vide order dated 24.09.2024 passed in Cr. Misc. No. 67817 of 2024. The petitioner has one criminal antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 13.07.2024.

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, Katihar in connection with Kursela P.S. Case No. 126 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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