

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70067 of 2023

Arising Out of PS. Case No.-835 Year-2023 Thana- BHABHUA District- Kaimur (Bhabua)

Samyak Tiwary Son Of Madan Mohan Tiwary R/O Village - Vedpurwa Sastri
Nagar, Ward No.6, P.S.- Kotwali, District- Gajipur, U.P.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumari Anupam

For the Opposite Party/s : Mr.Umanath Mishra

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 16-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has filed the instant application for grant of regular bail in connection with Bhabhua (Sonhan) P.S. Case No. 835 of 2023 registered under section 30(a) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 147.75 of illicit liquor from a car bearing Reg No. DL9CW-5633 and the petitioner was arrested by the police on spot.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. It is further submitted that nothing incriminating has been recovered from the conscious possession of the petitioner and he has no concern with the



seized illicit liquor. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 14.09.2023.

The application for bail is opposed by learned APP for the State and submitted that the petitioner has been arrested on spot with the said vehicle by the police where the recovery has been made.

The petitioner is directed to deposit a sum of Rs. 10,000/- (Rs. Ten Thousand) in the District Legal Services Authority of the concerned District.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as the custody of the petitioner, the Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Bhabhua (Sonhan) P.S. Case No. 835 of 2023 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge Excise Court No.1 cum ADJ IV, Kaimur at Bhabhua.

The bail bonds of the petitioner shall be accepted by the learned lower Court below on showing the receipt of deposit



of Rs. 10,000/- (Rs. Ten Thousand) by the petitioner in the
account of concerned DLSA.

(Sunil Kumar Panwar, J)

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