

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72146 of 2023

Arising Out of PS. Case No.-338 Year-2023 Thana- VAISHALI District- Vaishali

Prashant Kumar Son Of Sonelal Ray R/O Ward No. 06, Kurhani, P.S.-
Kurhani, Dist.- Muzaffarpur

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gazala Perween

For the Opposite Party/s : Mr.Narsingh Tanti

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 19-01-2024 Learned counsel for the petitioner is permitted

to make necessary correction in satisfaction portion of

the petition.

Heard learned counsel for the petitioner and

learned A.P.P. for the State.

The petitioner has prayed for bail in a case

registered for the offence punishable under sections 420,

120(B) of the Indian Penal Code and Sections 30(a),

32(ii), 41(i) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 173.52

litres of Indian Made Foreign Liquor from a Truck and

Bolero bearing Reg. No. RJ-14GD-5037 and WB-44A-



0159 respectively. Petitioner and other co-accused persons are alleged to be apprehended on spot.

It is submitted by learned counsel for the petitioner that petitioner is innocent and he has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. He has no concern in any manner from the alleged recovered illicit liquor. There is no independent witness of the alleged seizure. Moreover, the petitioner is languishing in judicial custody since 10.08.2023. similarly situated several co-accused persons have been granted bail by this Court as well as co-ordinate Bench of this Court.

In contra, learned A.P.P. appearing for State vehemently opposed the prayer of bail and submitted that petitioner was apprehended on spot and he has other criminal antecedent of same nature.

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 Prohibition and Excise Court II-cum- Additional District and Sessions Judge, Vaishali, Hajipur in connection with Vaishali P.S. Case No. 338 of 2023.

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

The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of Rs. 10,000/-(Rupees Ten Thousands) in District Legal Services Authority of concerned District.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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