

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73659 of 2023

Arising Out of PS. Case No.-142 Year-2023 Thana- KUNDWACHAINPUR District- East
Champaran

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Ramesh Kumar Son Of Ram Avtar Prasad Village- Basatpur W.No-11, Ps-
Kundwa Chainpur Dist- E.Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Tiwari
For the Opposite Party/s : Mr.Kumar Ranjit Ranjan

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 09-01-2024 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 Kundwa Chainpur P.S.
Case No. 142 of 2023 registered under sections 30(a) and 41(1)
of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 135 liters of
country made liquor from a tempo 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 03.09.2023.

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. 5,000/- (Rs. Five 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 Kundwa Chainpur P.S. Case No. 142 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 Exclusive Special Excise Court No.03, East Champaran, Motihari.

The bail bonds of the petitioner shall be accepted by



the learned lower Court below on showing the receipt of deposit of Rs. 5,000/- (Rs. Five Thousand) by the petitioner in the account of concerned DLSA.

The trial Court is directed to verify the criminal antecedent of the petitioner at the time of filing bail bond if it is found that petitioner has concealed his criminal antecedent, the trial Court shall step for cancellation of his bail bond.

(Sunil Kumar Panwar, J)

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