

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80969 of 2023

Arising Out of PS. Case No.-678 Year-2023 Thana- Excise P.S. District- Aurangabad

Kana Ram S/O Balla Ram R/O Village- Bhimthal, P.S- Dhaurimana, Distt.-
Barmer (RAJASTHAN).

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumari Anupam

For the Opposite Party/s : Mr.Ajay Kumar No. 2

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 30-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in a case registered for the offence punishable under sections 30(a), 32(3) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 2495.880 litres of Indian Made Foreign Liquor from a six wheeler container bearing Reg. No. UP-14KT-5736. Petitioner is alleged to be driver of the aforesaid vehicle and was apprehended on spot.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has no concern with the alleged



recovery or with the vehicle in question. Nothing incriminating article has been recovered from his conscious possession. There is no independent witness of the alleged seizure. He is languishing in judicial custody since 27.08.2023. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

Learned APP appearing for the State has opposed the prayer of Bail.

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 Special Judge Excise II, Aurangabad in connection with Excise P.S. Case No. 678 of 2023.

(Sunil Kumar Panwar, J)

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