

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78810 of 2023

Arising Out of PS. Case No.-324 Year-2022 Thana- LAHERIYASARAI District- Darbhanga

Dilip Nayak Son Of Late Sushil Nayak R/O Village- Bhathiyari Saray, P.S.-
Laheria Sarai (KOTWALI O.P.), District- Darbhanga

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prithvi Nath Mishra

For the Opposite Party/s : Mr.Md. Iftexhar Mahmood

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 22-01-2024 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) of
the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 39.750 litres
of Indian Made Foreign Liquor from the Godown of
petitioner.

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. The name of the petitioner sprang up in this case
merely on the basis of suspicion. Neither the petitioner was



arrested on spot nor any incriminating article has been recovered from his conscious possession. He is languishing in judicial custody since 29.08.2023. 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 Exclusive Special Judge II (Excise Act0, Darbhanga in connection with Laheria sarai P.S. Case No. 324 of 2022.

(Sunil Kumar Panwar, J)

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