

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82161 of 2023

Arising Out of PS. Case No.-633 Year-2023 Thana- MADHAURAH District- Saran

SHAMBHU THAKUR S/O DULAR THAKUR VILLAGE- CHAKKI
SOHAGPUR, PS. PAROO, DIST. MUZAFFARPUR.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Prakash

For the Opposite Party/s : Mr.Shahabuddin Azeem @ S. Azeem

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 23-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 30(a), 32(1) (2)(3), 38, 41 of the Bihar Prohibition and Excise Act.

3. Allegation against the petitioner is of carrying 253 liters of illicit liquor in a red Mahindra Di Tractor who was arrested on spot.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this present case. He has got no criminal antecedent. Petitioner is only driver of the tractor and he has no concern with the alleged recovery of illicit liquor. It is further submitted that the owner of



the seized tractor is one Pappu Yadav. No any incriminating article has been recovered from conscious possession of the petitioner. The petitioner is languishing in judicial custody since 1.1.2023.

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

6. 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 released on bail in connection with Marhowrah P.S. Case No. 633 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Exclusive Special Excise Judge, Saran at Chhapra.

(Sunil Kumar Panwar, J)

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