

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83634 of 2023

Arising Out of PS. Case No.-246 Year-2023 Thana- GOPALPUR District- Gopalganj

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PANDEY KUMAR SON OF BHAGERAN SAH RESIDENT OF VILLAGE-
KUBAULI, P.S.- BANGRA, DISTRICT- SAMASTIPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manoj Kumar

For the Opposite Party/s : Mr.Nagendra Prasad

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 04-01-2024 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 section 30(a) of the Bihar Prohibition and Excise Act.

3. It is a case of recovery of total 864 liters of illicit liquor from a pick-up van and 216 liters foreign liquor from Scorpio. The petitioner along with others have been 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 has no concern with the alleged recovery of illicit liquor or with the



vehicles in question. No any incriminating article has been recovered from conscious possession of the petitioner. The petitioner is languishing in judicial custody since 1.10.2023. Other co-accused Rajesh Kumar who was also apprehended on spot, has already been enlarged on bail granted by a co-ordinate Bench of this Court vide order dt. 21.12.2023 passed in Cr. Misc. No. 80714 of 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 Gopalpur P.S. Case No. 246 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 Addl. District & Bsessions Judge VI-Cum-Exclusive Special Excise Court No.II, Gopalganj.

(Sunil Kumar Panwar, J)

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