

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85162 of 2023

Arising Out of PS. Case No.-161 Year-2023 Thana- VISHAMBHARPUR District- Gopalganj

Birendra Kumar Son Of Subhash Ram R/O Village Nayatola, Kuchayekot,
P.S.- Kuchayekot, Dist.- Gopalganj

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vikash Kumar Shukla

For the Opposite Party/s : Mr.Anita Kumari

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 09-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. 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.

3. Prosecution case relates to recovery of 63 litres of illicit liquor was recovered from motorcycle and petitioner and co-accused Sajjan Kumar were 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 got no criminal antecedent. He has no concern with the alleged recovery or with the vehicle in question. Due to high handedness of police, he has been falsely implicated by the police officials while he was returning after



attending a party. Similarly situated other accused person, namely, Sajan Kumar, has already been enlarged on bail by another coordinate Bench of this Court vide order dated 24.11.2023 passed in Cr. Misc. No. 75164 of 2023. Petitioner is languishing in judicial custody since 20.08.2023.

5. Learned APP appearing for the State has 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 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 Additional District and Sessions Judge 4th-cum-Exclusive Special Judge, Excise Court II, Gopalganj in connection with Vishambharpur PS Case No. 161 of 2023.

(Sunil Kumar Panwar, J)

sushma/-

U			
---	--	--	--

