

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85160 of 2023

Arising Out of PS. Case No.-176 Year-2023 Thana- RAUTA District- Purnia

=====

Kundan Kumar SON OF BINOD MUNI RESIDENT OF SAMELI, WARD
NO.17, P.S. - KURSELA, DISTRICT - PURNEA

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Md Fazle Karim
For the Opposite Party/s : Mr.Suman Kumari Singh

=====

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 sections30(a) of the Bihar Prohibition and Excise Act.

3. Prosecution case relates to recovery of 93 litres illicit liquor from Tata Nano car. Petitioner was driver of the said car and he was arrested on spot

3. 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. Petitioner has no concern with the alleged recovery or with the vehicle in question. On instruction of owner, namely Anup



Ghosh, he was driving the vehicle and he was completely unaware about the consignment loaded in the vehicle. Petitioner is languishing in judicial custody since 19.10.2023.

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

6. Petitioner is directed to deposit Rs. **5,000/- (Rs. Five thousand)** in the concerned DLSA.

7. 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 Excise Judge-02, Purnea in connection with Rauta P.S. Case No. 176 of 2023.

8. The bail bonds of the petitioner shall be accepted by the learned court below on showing receipt of deposit of Rs. **5,000/- (Five thousand only)** by the petitioner in the account of concerned DLSA.

(Sunil Kumar Panwar, J)

sushma/-

U			
---	--	--	--

