

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84669 of 2023

Arising Out of PS. Case No.-1566 Year-2023 Thana- Excise P.S. District- Patna

SURAJ KUMAR Son of Shyamdeo Prasad R/o vill - Jalgobind, ward no. 06,
Thana - Barh, Distt. - Patna

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nishant Kumar Sinha

For the Opposite Party/s : Mr.Lakshmi Kant Sharma

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 08-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has filed the instant application for grant of regular bail registered under section 30(a), of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 30 liter illegal country made liquor from an E-rickshaw and the petitioner was also apprehended on the spot.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case merely on suspicion. The petitioner is not owner of the e-rickshaw. It is submitted that nothing incriminating has been recovered from the conscious possession of the petitioner and he has no concern with the



seized illicit liquor. It is further submitted that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 15.11.2023.

The application for bail is opposed by learned APP for the State and submitted that the petitioner has been arrested on spot with the said vehicle by the police where the recovery has been made.

The petitioner being driver is directed to deposit a sum of Rs. 5,000/- (Rs. Five Thousand) in the District Legal Services Authority of the concerned District.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as the custody of the petitioner, the Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Excise Barh P.S. Case No. 1566 of 2023 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise, Barh Patna.

The bail bonds of the petitioner shall be accepted by the learned lower Court below on showing the receipt of deposit of Rs. 5,000/- (Rs. Five Thousand) by the petitioner in the



account of concerned DLSA.

(Sunil Kumar Panwar, J)

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