

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 84339 of 2023

Arising Out of PS. Case No.-441 Year-2023 Thana- SABAUR District- Bhagalpur

Asmit Kumar S/o Shyam Sunder Singh Resident of Village - Basdhiya, P.S.-
Dalsingh Sarai, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pravin Kumar Sinha

For the Opposite Party/s : Mr.Manoj Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 05-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 30(a), 32(i)(ii) and 41
of the Bihar Prohibition and Excise Act.

3. As per prosecution case, there has been recovery of
135.06 liters of illegal liquor from Swift Desire Car, which was
driven by the petitioner.

4. It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has
committed no offence. He submitted that the petitioner has no
concern either with the seized vehicles or with the wine in
question. He submitted that the other co-accused has already
been granted bail by a Co-ordinate Bench vide order dated



23.11.2023 passed in Cr. Misc. No. 73419 of 2023. He is languishing in judicial custody since 12.08.2023.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, 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 Special Judge, Excise-II, Bhagalpur in connection with Sabour P.S. Case No. 441 of 2023.

(Sunil Kumar Panwar, J)

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