

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85027 of 2023

Arising Out of PS. Case No.-681 Year-2023 Thana- Excise P.S. District- Buxar

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SANJU KUMAR SON OF PERMESHWAR MAHTO RESIDENT OF
VILLAGE - SOUTH MANDIRI (NORTH MANDIRI) P.S. - BUDHA
COLONY, DISTRICT - PATNA

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Binay Singh

For the Opposite Party/s : Mr.Atul Chandra

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 10-01-2024 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has prayed for bail in a case

registered for the offence punishable under section 30(a)

of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of

213.480 litres of Indian made foreign liquor from a car

bearing Reg. No. BR-01BC-9957. Petitioner is alleged be

the driver of the aforesaid vehicle and apprehended on

spot.

It is submitted by learned counsel for the



petitioner that petitioner is innocent and he has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. He has no concern in any manner from the alleged recovered illicit liquor. It is submitted by para 10 of the petition that owner of the vehicle is Chandan Kumar. Moreover, the petitioner is languishing in judicial custody since 06.10.2023. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

In contra, learned A.P.P. appearing for State vehemently opposed the prayer of bail and submitted that petitioner was driving the aforesaid vehicle and he was apprehended on spot.

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 Special Excise Court
No. II, Buxar in connection with Excise P.S. (Buxar)
Case No. 681 of 2023.

The petitioner is directed to deposit a sum of
Rs. 20,000/-(Rupees Twenty Thousands) in the
concerned District Legal Services Authority.

The bail bond of the petitioner shall be
accepted by the learned Court below on showing receipt
of deposit of Rs. 20,000/-(Rupees Twenty Thousands) in
District Legal Services Authority of concerned District.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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