

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85521 of 2023

Arising Out of PS. Case No.-228 Year-2023 Thana- BHAWANIPUR District- Purnia

Bablu Kumar S/o Sushil Yadav R/o Village-Karauti Purbari Tola Ward No.13,
P.S-Uda Kishunganj, District-Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mrityunjay Kumar

For the Opposite Party/s : Mr.Sanjay Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 01-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under section 30(a) of the Bihar Prohibition and Excise Act.

3. Prosecution case relates to recovery of total 24 liters and 600 ml of illicit liquor from the bag of the petitioner and he was arrested by the police on spot with a motorcycle.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. It is further submitted from para-13 of this petition that the alleged motorcycle does not belong to the petitioner rather the same belongs to his father-in-law one Chhatri Yadav. He has no concern with the seized



liquor. There is no independent witness of the seizure list rather they are police personnel. Moreover, the petitioner is languishing in judicial custody since 27.09.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Bhawanipur P.S. Case No. 228 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Judge, Court No.2, Purnea.

(Sunil Kumar Panwar, J)

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