

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85047 of 2023

Arising Out of PS. Case No.-368 Year-2023 Thana- SABAUR District- Bhagalpur

Asif Son of Late Anul Resident of Village- Fatehpur, P.S.- Industrial Area,
District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Chandra

For the Opposite Party/s : Mr.Suresh Prasad 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.

The petitioner has prayed for bail in a case
registered for the offence punishable under sections 30(a),
32(i)(ii), 41 of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 205.5 litres of
illicit liquor from a pickup van bearing Reg. No. BR-10GB-
6854. Petitioner is alleged to be driver of the said vehicle.

Learned counsel appearing on behalf of the
petitioner has submitted that petitioner is innocent and has
committed no offence. He has no concern with the alleged
recovery. Neither anything incriminating has been recovered



from his conscious possession nor he has concern with alleged recovery. There is no independent witness of the alleged seizure. Moreover, petitioner is languishing in judicial custody since 09.07.2023.

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

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 Judge Excise II, Bhagalpur in connection with Sabour P.S. Case No. 368 of 2023.

(Sunil Kumar Panwar, J)

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