

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.326 of 2024

Arising Out of PS. Case No.-646 Year-2023 Thana- ISLAMPUR District- Nalanda

Dilip Kumar Son Of Raju Kumar @ Raju Prasad Resident Of Village -
Mahadeo Bigha, P.S. - Islampur, District - Nalanda

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Kishor Prasad

For the Opposite Party/s : Mr. Sanjay Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 15-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under section 414 of the Indian Penal Code and Sections 30(a), 45 of the Bihar Prohibition and Excise Act.

3. As per FIR, prosecution case relates to recovery of 375 ml of Imperial Blue Company made foreign liquor from the petitioner and one motorcycle was also recovered.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this present case. The petitioner has no concern with the alleged



recovered liquor rather it was planted one. As per Annexure-2, recovered motorcylce belongs to co-accused who is also friend of this petitioner. No any incriminating article has been recovered from conscious possession of the petitioner. It is further submitted the petitioner is languishing in judicial custody since 15.11.2023.

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

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as judicial custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Islampur P.S. Case No. 646 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 Additional Sessions Judge-IV-cum Exclusive Special Court Excise No-2, Nalanda at Bihar Sharif.

(Sunil Kumar Panwar, J)

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