

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.551 of 2024

Arising Out of PS. Case No.-718 Year-2023 Thana- Excise P.S. District- Buxar

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MANISH KUMAR SON OF NIRMAL KUMAR CHOUDHARY Resident of
Village - Shivganj Tola, P.S. - Jagdishpur, District - Bhojpur (Ara)

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Gajendra Kumar Singh

For the Opposite Party/s : Mr.Nityanand

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 16-01-2024 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 259.20
litres of country made liquor from a car bearing Reg. No.
JH-01AX-2224. Petitioner is alleged to be driver of the
aforesaid car and was 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. Moreover, the petitioner is languishing in judicial custody since 28.10.2023. 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 car in question 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 Buxar Excise P.S. Case No. 718 of 2023.



The petitioner is directed to deposit a sum of Rs. 10,000/-(Rupees Ten 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. 10,000/-(Rupees Ten Thousands) in District Legal Services Authority of concerned District.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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