

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5312 of 2024

Arising Out of PS. Case No.-952 Year-2023 Thana- BARACHATTI District- Gaya

Tarkeshwar Singh, S/O- Ramvilash Singh R/O Vill -Ndua Pokhara p-s
Bhagwanpur Hat, Dist-Siwan

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar, Adv.

For the Opposite Party/s : Mr. Parmanand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 07-02-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with Barachatti (Mohanpur) P.S. Case No. 952 of 2023, lodged on 27.10.2023 under Section 30(a) of the Bihar Prohibition and Excise Amendment Act, 2018.

3. As per the prosecution case, FIR has been lodged against the petitioner. Total 269.625 litres of foreign liquor has been recovered which is the subject matter of the present case.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel also submits that the said foreign liquor has been recovered from a car namely Mahindra XUV 500 and the petitioner was not the owner of the said vehicle. Counsel further submits that



the antecedent of the petitioner is clean and he is in custody since 28.10.2023. Counsel also submits that the charge-sheet has already been filed in this case.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that the petitioner was arrested only due to the reason that he was sitting in the said vehicle.

6. In the present facts and circumstances of this case and the submissions made above, **let the petitioner above named, be granted bail, but only after framing of charge, if not framed** on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No-V, Gaya in connection with Barachatti (Mohanpur) P.S. Case No. 952 of 2023.

(Dr. Anshuman, J.)

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