

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17210 of 2023

Arising Out of PS. Case No.-165 Year-2022 Thana- GANGABRIDGE District- Vaishali

Premchand Prasad Singh @ Premchand Kumar Singh S/O Surendra Prasad Singh @ Surendra Prasad Resident Of Village- Sahdullapur, P.S.- Gangabridge, District- Vaishali.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anuj Kumar

For the Opposite Party/s : Mr.Arun Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 29-04-2023 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 467, 468, 471, 420 of Indian Penal Code and Sections 30(a), 36, 41(i) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 4465.440 litres of Indian Made Foreign Liquor from a truck bearing Reg. No. UP-14FT-5570. Two persons were apprehended on the spot who disclosed their name as Sanjeev Kumar and Rakesh Kumar. They further



disclosed the name of petitioner and other co-accused persons as their associates.

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 or with the vehicle in question. The name of the petitioner has been disclosed in this case by the apprehended co-accused before the police, which has got no evidentiary value in the eye of law. Neither the petitioner was arrested on spot nor any incriminating article has been recovered from his conscious possession. He is languishing in judicial custody since 15.02.2023. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

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 Exclusive Special Excise Court No. I-cum-Additional District & Sessions Judge, Vaishali, Hajipur in connection with Gangabridge P.S. Case No. 165 of 2022.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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