

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52309 of 2022

Arising Out of PS. Case No.-358 Year-2022 Thana- KATEYA District- Gopalganj

Arvind Kumar Son Of Tribeni Sahni, R/O Village- Nayagaon Parsawn
(parmama) Tola, P.S.- Aurai, District- Muzaffarpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satyendra Rai, Advocate

For the Opposite Party/s : Mr. Dr. Kumar Uday Pratap, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 25-11-2022 Let the defect, if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Kateya P.S. Case No.358 of 2022 lodged under Section 414 of
the Indian Penal Code and Section 30(a) of Bihar Prohibition
and Excise Act, 2016 and amended Act, 2018.

As per prosecution case, total recovery of 131.955
liter foreign liquor is subject matter of the present case.

Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. He further
submits that the said recovery was made from a tempo and
petitioner was sitting on the tempo being a co-passenger. He

further submits that the antecedent of the petitioner is clean and he is in custody since 09.08.2022. He further submits that petitioner has been apprehended from the place of occurrence, but there is gross violation of Section 100 of Cr.P.C. and charge sheet has been filed in this case.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Addl. District & Sessions Judge-II-cum- Special Judge, Excise-I, Gopalganj in connection with Kateya P.S. Case No. 358 of 2022, subject to the conditions as laid down under Section 437(3) of Cr.P.C.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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