

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 53730 of 2022

Arising Out of PS. Case No.-325 Year-2022 Thana- KUCHAIKOTE District- Gopalganj

Rajesh S/O Ram Karan Resident of Chhatiyari, P.S.- Sikari Ganj, District- Gorakhpur, Uttar Pradesh at present House No- 205, Khora Colony, P.S.- Khora Colony District Gazibad, Uttar Pradesh

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 18-11-2022 Let the defect(s), if any, be removed within two weeks from today.

Heard learned counsel for the petitioner and learned A.P.P. for the State through virtual mode.

The petitioner seeks regular bail in connection with Kuchaikot P.S. Case No. 325 of 2022 lodged under Sections 420/467/468/471/34 of the I.P.C. read with Section 30(a) of Bihar Prohibition and Excise Act, 2016 (Amendment Act, 2018).

As per the prosecution case, total recovery of 87.780 litre of wine is the subject matter of the present case.

Learned counsel for the petitioner submits that antecedent of the petitioner is clean and he is in custody since 19.07.2022. Counsel submits that the said wine has been

recovered from one Swift Dezire car. Counsel submits that one of the co-accused has been granted bail by the Co-ordinate Bench of this Court vide order dated 30.06.2022 passed in Cr. Misc. No. 46251 of 2022.

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 Additional District and Sessions Judge-IV-cum-Special Judge Excise Court-II, Gopalganj in connection with Kuchaikot P.S. Case No. 325 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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