

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2476 of 2023

Arising Out of PS. Case No.-332 Year-2020 Thana- DHANARUA District- Patna

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Rajiv Kumar @ Birendra Kumar Vidharthi @ Prem Jyoti S/O Naresh Yadav @
Naresh Prasad Resident of village- Makhdumpur, P.S.- Dhanarua, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Kaushal Kishor, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 6 19-05-2023 1. Heard learned counsel for the petitioner and the learned
APP for the State.
2. Petitioner seeks regular bail in connection with Dhanarua
P.S. Case No. 332 of 2020 dated 07.12.2020 registered for the
offence punishable under Section 30(a) of Bihar Prohibition and
Excise Act.
3. The main submissions advanced by learned counsel for
petitioner are that the instant matter relates to the recovery of
917.28 litres of foreign liquor from a hut which is stated to be
situated on the agricultural land of this petitioner but the said place
of recovery is accessible to everyone as the same is an open place
and admittedly at the time of recovery the petitioner was not
apprehended at the spot of recovery and he had no knowledge
about the alleged seized liquor and he was remanded in the present
matter on 03.11.2022 from Dhanarua P.S. Case No. 27 of 2022 and

since then he has been languishing in jail and in the present matter investigation has been completed against him. Further submission is that though against the petitioner there are criminal antecedents of three cases but he has got bail in all the said cases.

4. Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

5. Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record and also the completion of investigation against the petitioner, I deem it fit and proper to admit the petitioner to the privilege of bail.

6. Accordingly, let the petitioner named-above be enlarged on bail, **after framing of charge, if the same has not been framed**, in connection with **Dhanarua P.S. Case No. 332 of 2020** on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned.

(Shailendra Singh, J)

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