IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3016 of 2023

Arising Out of PS. Case No.-8 Year-2022 Thana- KALYANPUR District- Samastipur

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BHULLA @ JITENDRA PASWAN SON OF RAM BILASH PASWAN R/O VILL.- TIRA, P.S.- KALYANPUR, DISTT.- SAMASTIPUR

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Pramod Kumar Singh, Advocate
For the Opposite Party/s : Mr. Pradeep Narain Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH

ORAL ORDER

2 26-04-2023 1. Heard learned counsel for the petitioner and the learned APP for the State.

2. Petitioner seeks regular bail in connection with Kalyanpur P.S. Case No.08 of 2022 dated 06.01.2022 registered for the offences punishable under Sections 30(a), 32(3), 36 and 41(1) of the Bihar Prohibition and Excise Act.

3. The main submissions advanced by the learned counsel for the petitioner are that the petitioner has fair and clean antecedent and has been languishing in jail since 23.03.2022 , he was not arrested at the spot of the recovery of the alleged wine, his name surfaced in the statement of co-accused persons who were arrested with the alleged wine and out of them two co-accused persons namely Ashik Kumar @ Ashik Kumar and Govind Kumar have been granted bail by a

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co-ordinate Bench of this Court vide orders passed in Cr. Misc Nos.18727 of 2022 and 27226 of 2022 respectively and against him the investigation has been completed. Further submission is that petitioner is neither the owner nor driver of any of the alleged vehicles which were seized with the alleged wine.

4. Learned APP appearing for the State has opposed the bail prayer.

5. Considering the above submissions and mainly the petitioner's fair and clean antecedent and also the fact that he was not arrested at the spot of recovery of alleged wine and as per above submission his name surfaced in the statement of arrested co-accused persons and against him the investigation has been completed, in the opinion of this Court a lenient approach can be taken in respect of the petitioner's prayer, let the petitioner be released on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the concerned Court in connection with Kalyanpur P.S. Case No.08 of 2022.

(Shailendra Singh, J)

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