

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2708 of 2023

Arising Out of PS. Case No.-285 Year-2022 Thana- RAJAPAKAR District- Vaishali

RAJESHWAR KUMAR Son of Sitablal Ray Resident of Village- Dullahpur
(Mansurpur Haliaya), P.S.- Goraul (Kathara O.P.), District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shivjee Singh, Advocate
For the Opposite Party/s : Mrs. Asha Devi, APP

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 Rajapakar P.S. Case No.285 of 2022 dated 16.08.2022
registered for the offences punishable under Sections 30(a) and
32(ii) of the Bihar Prohibition and Excise Act.

3. The main submissions advanced by the
learned counsel for the petitioner are that the recovery of the
alleged wine is stated to have been made from an Alto car and in
fact earlier the petitioner was the real owner of the said car but
on the date of the alleged recovery he was not the owner of the
said car as he had sold out the said car on 11.07.2022 to one
namely Suraj Kumar in the presence of witnesses but the
ownership of the said car was not transferred to the said Suraj



Kumar by the D.T.O. office and in this regard copy of sale agreement has been filed with the petition as Annexure-2 and moreover the petitioner has fair and clean antecedent and has been languishing in jail since 18.08.2022 and against him the investigation has been completed.

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

5. Considering the above submissions and mainly the petitioner's custody period and also the fact that 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 Rajapakar P.S. Case No.285 of 2022.

(Shailendra Singh, J)

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