

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4476 of 2023

Arising Out of PS. Case No.-795 Year-2022 Thana- PATLIPUTRA District- Patna

Aman Kumar S/O Anand Prakash R/o- Kurji Balupar, P.S.- Digha, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Umanath Mishra, APP.

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 03-04-2023 Let the defects, if any, pointed out by the office be removed within three weeks from the date of this order, failing which the matter be listed again under the appropriate heading for necessary action.

Heard learned counsel for the petitioner and the learned APP for the State.

Petitioner seeks regular bail in connection with Patliputra P.S. Case No. 795 of 2022 (Special Case No. 7915/2022) registered for the offences punishable under Sections 30(a) and 41(i) of Bihar Prohibition and Excise Act, 2018.

As per the prosecution, the informant along with other police personnel acting upon a secret information intercepted a car and apprehended this petitioner while other co-accused person managed to escape. It is further alleged that 150.055



litres of liquor was recovered from the alleged car.

The main submissions advanced by petitioner's counsel are that the petitioner is not the owner of the seized car from which the alleged wine was recovered and the recovery of the said wine was not made from the conscious possession of this petitioner and he has fair and clean antecedent and has been languishing in jail since 23.11.2022 and against him the investigation has been completed.

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

In view of the facts, as stated above and mainly considering the petitioner's fair and clean antecedent as well as his custody period, in my opinion it is a fit case for bail to the petitioner. Accordingly, let the petitioner named-above be enlarged on bail **after framing of charge**, if the same has not been framed, 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 in connection with Patliputra P.S. Case No. 795 of 2022 (Special Case No. 7915/2022).

(Shailendra Singh, J)

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