

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4806 of 2023

Arising Out of PS. Case No.-548 Year-2022 Thana- PATORI District- Samastipur

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DHIRAJ KUMAR Son of Late Shambhu Rai R/V- Baghra, P.s- Patori
(Mohanpur O.P) Dist- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nawal Kishore Prasad, Adv.

For the Opposite Party/s : Mr. Binod Kumar No. 3, APP.

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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 Patori P.S. Case No. 548 of 2022 registered for the offence punishable under Section 30(a) of Bihar Prohibition and Excise Act.

As per the prosecution, the informant along with other police personnel acting upon a secret information apprehended this petitioner from whose possession 6.750 litres of foreign liquor was recovered.

The main submissions advanced by petitioner's counsel are that the instant matter relates to recovery of 6.750



litres of foreign liquor and the said liquor has been wrongly shown as having been recovered from the possession of this petitioner and the petitioner is a poor labourer and has been languishing in jail since 29.11.2022 and against him the investigation has been completed and though against him, there are criminal antecedents of two cases lodged under Bihar Prohibition and Excise Act but he is on bail in both the cases.

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 custody period and the stage of his trial and also his young age as mentioned in the petition, 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 Patori P.S. Case No. 548 of 2022.

(Shailendra Singh, J)

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