

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5336 of 2023

Arising Out of PS. Case No.-477 Year-2022 Thana- BUDDHACOLONY District- Patna

BITTAN YADAV @ BITTAN ROY Son of Shiv Nath Yadav R/o Sabalpur,
Diyara, P.S.- Sonapur, District- Saran at present renter House of Surendra Rai,
North Mandiri, P.S.- Budha Colony, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Rajeev, Advocate
For the Opposite Party/s : Mr. Suresh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 2 28-04-2023 1. Heard learned counsel for the petitioner and
the learned APP for the State.
2. Petitioner seeks regular bail in connection
with Budha Colony P.S. Case No.477 of 2022 dated 27.09.2022
registered for the offence punishable under Section 30(a) of
Bihar Prohibition and Excise Act.
3. The main submissions advanced by the
learned counsel for the petitioner are that as per FIR the alleged
wine was recovered at Marine Drive, Bans Ghat, Diyar area
which is a public place and as per allegation 80 litres of country-
made wine is stated to have been recovered from the possession
of the petitioner, in fact the petitioner is a cow milk seller and he
had no concern with the seized wine and he was falsely roped in



this case and the alleged wine was not recovered from his conscious possession and he has been languishing in jail since 27.09.2022 and against him the investigation has been completed. Further submission is that the petitioner has criminal antecedent of one case in which he is on bail.

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

5. Considering the above submissions and mainly the facts that against the petitioner the investigation has been completed and he is stated to be a cow milk seller, 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 Budha Colony P.S. Case No.477 of 2022.

(Shailendra Singh, J)

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