

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8456 of 2023

Arising Out of PS. Case No.-220 Year-2022 Thana- PASRAHA District- Khagaria

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Kundan Kumar Son Of Ranjit Singh Resident Of Village- Pasraha, P.S.-
Pasraha, District- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar, Advocate

For the Opposite Party/s : Mr. Kumar Ranjit Ranjan, APP

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 25-02-2023 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 learned APP for the State.

Petitioner seeks regular bail in connection with Pasraha P.S. Case No. 220 of 2022 registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Amendment Act, 2018.

As per the prosecution, the police personnel during patrolling apprehended this petitioner with one co-accused and recovered in total 488.82 liters of foreign liquor form the



alleged vehicle.

The main submissions advanced by learned counsel Mr. Binod Kumar, appearing for the petitioner are that the petitioner has fair and clean antecedent, he is not the owner of the seized Bolero Pick-up from which the recovery of the alleged wine was made, in actual he is the owner of a farm house and running a small scale industry of manufacturing *Agarbatti* and he has been roped in this case due to business rivalry and on the alleged day and time co-accused, Bhim Singh brought potato by the seized Bolero Pick-up to unload the said potato in the farm house of the petitioner and he entered into the petitioner's farm house without permission and then petitioner objected but thereafter police arrived and then driver of the said vehicle managed to flee but the petitioner was apprehended on suspicion. Further submission is that the petitioner has been languishing in jail since 27.11.2022.

Learned APP Mr. Kumar Ranjit Ranjan, appearing for the State has opposed the prayer for bail.

In view of the facts, as stated above and mainly considering the petitioner's fair and clean antecedent and his custody period, this Court is inclined to accept the petitioner's prayer for bail. Accordingly, let the petitioner named-above be



enlarged 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 Pasraha P.S. Case No. 220 of 2022.

(Shailendra Singh, J.)

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