

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6868 of 2023

Arising Out of PS. Case No.-251 Year-2022 Thana- KHAJAULI District- Madhubani

Jibu Bhandari S/o Suraj Bhandari R/o Village- Bhakua, P.S.- Khajauli, Distt-
Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance:

For the Petitioner/s	:	Mr. Gagan Deo Yadav, Advocate
		Mr. Ravi Prakash, Advocate
		Mr. Rajesh Kumar, Advocate
For the Opposite Party/s :		Mr. Rita Verma, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 2 29-04-2023 1. Heard learned counsel for the petitioner and the learned
APP for the State.
2. Petitioner seeks regular bail in connection with Khajauli
P.S. Case No. 251 of 2022 dated 13.12.2022 registered for the
offences punishable under Sections 272 and 273 of the Indian
Penal Code and Section 30(a) of Bihar Prohibition and Excise
(Amendment) Act, 2018.
3. The main submissions advanced by learned counsel for
petitioner are that as per the allegation 360 litres of Nepali
country made wine is stated to have been recovered from the
petitioner's *tempo*, no doubt the petitioner was found in the said
tempo from which the alleged wine was recovered but in actual
the said wine belonged to a passenger who fled away on seeing
the police party and petitioner was caught on suspicion mainly

on the ground of the said liquor being present in his *tempo* and moreover, the petitioner has fair and clean antecedent and he has been languishing in jail since 14.12.2022.

4. Learned APP for the State has opposed the bail prayer of the petitioner.

5. Considering the above submissions and mainly the petitioner's defence discussed above and his custody period as well as his fair and clean antecedent and also completion of investigation against him, in my opinion, it is a fit case for bail to the petitioner. 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 concerned Court in connection with Khajauli P.S. Case No. 251 of 2022.

(Shailendra Singh, J)

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