

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14291 of 2023

Arising Out of PS. Case No.-266 Year-2022 Thana- KISHUNPUR District- Supaul

RAKESH KUMAR Son of Virbahadur Mehta R/V- Tengraha, Ward no. 2,
P.S- Bhaptiyahi Dist- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Vishoka Nand, Advocate

For the Opposite Party/s : Mr. Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 2 08-05-2023 1. Let the defect(s), if any, pointed out by the office be removed within four weeks from the date of this order, failing which the matter be listed again under the appropriate heading for necessary action.
2. Heard learned counsel for the petitioner and learned APP for the State.
3. Petitioner seeks regular bail in connection with Kishanpur P.S. Case No. 266 of 2022, dated 27.10.2022 registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act.
4. The main submissions advanced by petitioner's counsel are that the instant matter relates to the recovery of 270 litres of *country-made Nepali liquor* and the same is stated to have been recovered from a *Santro XL Car* and petitioner is



alleged to be found sitting inside the said car but in actual he was travelling in the said car to watch an *orchestra program* and the driver of the alleged vehicle namely, Sudhir Kumar managed to escape on seeing the police party and petitioner was apprehended at the spot but he had no knowledge about the loaded wine in the said car and moreover he has fair and clean antecedent and has been languishing in jail since 27.10.2022 and against him the investigation has been completed and the petitioner is a very young and poor person.

5. Learned APP appearing for the State opposes the prayer for bail.

6. Considering the above submissions and mainly petitioner's custody period and his young age, his clean antecedent and 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 the concerned Court in connection with Kishanpur P.S. Case No. 266 of 2022.

(Shailendra Singh, J.)

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