

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13557 of 2023

Arising Out of PS. Case No.-665 Year-2018 Thana- ALAMGANJ District- Patna

Uday Kumar Son of Suresh Ray R/O Village- Hamampar, Ram Autar Khatri
Gali, P.S.- Khajekalan, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance:

For the Petitioner/s : Mr. Arvind Kumar Pradhan, Advocate
For the Opposite Party/s : Mr. Shyam Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 2 05-05-2023 1. Heard learned counsel for the petitioner and the learned
APP for the State.
2. Petitioner seeks regular bail in connection with Alamganj
P.S. Case No. 665 of 2018 dated 09.11.2018 registered for the
offences punishable under Sections 279, 337 and 427 of the
Indian Penal Code and Section 30(a) of Bihar Prohibition and
Excise Act, 2016.
3. The main submissions advanced by learned counsel for
petitioner are that the petitioner is not named in the FIR, as per
prosecution's allegation 800 litres of illicit country made wine is
stated to have been recovered from a magic vehicle and in
actual one person namely, Naushad Alam is owner of the said
vehicle but during investigation he made a false statement
regarding the transfer of ownership to this petitioner in order to
save himself from the liability arising out of the recovery of the

alleged wine and the said Naushad Alam submitted only an affidavit before the Investigating Officer to substantiate his claim of transfer of the ownership. Further submissions are that the petitioner has fair and clean antecedent and he has been languishing in jail since 06.01.2023 and against him the investigation has been completed.

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

5. Considering the above submissions and mainly the petitioner's fair and clean antecedent, his custody period, the completion of investigation against him and also the facts that he is not named in the FIR and he has made the statement in paragraph no. 7 of the petition that he is neither owner nor driver of the alleged vehicle from which the alleged wine was recovered, 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 Alamganj P.S. Case No. 665 of 2018.

(Shailendra Singh, J)

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