

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13551 of 2023

Arising Out of PS. Case No.-18 Year-2023 Thana- FATEHPUR District- Gaya

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PINTU KUMAR, aged about 28 years, Gender, Male, S/O MUNNI LAL
YADAV R/v- Machrak, P.S.- Fatehpur, District- Gaya

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vijay Anand, Advocate

For the Opposite Party/s : Ms.Gulnar Begum, App

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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
Fatehpur P.S. Case No. 18 of 2023 dated 08.01.2023 registered
for the offence(s) punishable under Section(s) 30(a) of the
Bihar Prohibition and Excise Act.

3. The main submissions advanced by the learned
counsel for the petitioner are that though the instant matter
relates to the recovery of 1300 litres of country made wine and
82.5 litres of foreign liquor and the same is stated to have been
recovered from several motorcycles and a tempo but the
petitioner had concern only with the recovery of 100 litres of
illicit wine which is stated to have been recovered from a
motorcycle and petitioner is said to have been arrested with the



said motorcycle and wine, in fact the petitioner has been falsely roped in this case and at the time of his arrest, he was simply passing by near the place of recovery and he was made accused merely on the basis of suspicion. Further submissions are that there is criminal antecedent of one case against him in which he is on bail and against him, the investigation has been completed and he is not the owner of the alleged motorcycle which is said to have been found in possession of the petitioner.

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

5. Considering the above submissions and mainly the completion of investigation against the petitioner and also the fact that the alleged recovery of the wine is stated to have been made before two official persons, 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 in connection with Fatehpur P.S. Case No. 18 of 2023 on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned on this condition that petitioner shall make his attendance every month for the next one year at the police station under whose jurisdiction he is presently residing. If petitioner's further activity in the crime of



similar nature is found then the police officer concerned will send a report to the trial court immediately and then the court concerned shall take strict action against the petitioner for cancellation of his bail bond.

Let the order's copy be sent to Superintendent of Police concerned for transmitting the same to the police officer concerned.

(Shailendra Singh, J)

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