

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14661 of 2023

Arising Out of PS. Case No.-5 Year-2023 Thana- KASMA District- Aurangabad

Sunil Prasad Son of Gaya Sao @ Gaya Saw Resident of village - Jakhim,
P.S.- Rafiganj, District - Aurangabad (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance:

For the Petitioner/s : Mr. Kamendra Pd. Singh, Advocate
For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 2 08-05-2023 1. Heard learned counsel for the petitioner and the learned
APP for the State.
2. Petitioner seeks regular bail in connection with Kasma
P.S. Case No. 05 of 2023 dated 06.01.2023 registered for the
offence punishable under Section 30(a) of Bihar Prohibition and
Excise Act.
3. The main submissions advanced by learned counsel for
petitioner are that the instant matter relates to the recovery of
125 litres of country made illicit mahua liquor and the same is
stated to have been recovered from a TATA Pick-up vehicle
which is registered in the name of petitioner's father, infact no
recovery of wine as alleged in the FIR was made from the said
vehicle and on the alleged date of occurrence, the petitioner was
simply learning driving from his father's vehicle and when the
vehicle was intercepted, the petitioner was found driving the

said vehicle without any driving license and thereafter the police framed him in a false case and moreover, the petitioner has fair and clean antecedent and has been languishing in jail since 07.01.2023 and against him the investigation has been completed. Further submissions are that the petitioner's father, who is the registered owner of the alleged vehicle, has been granted anticipatory bail by a co-ordinate bench of this Court vide order passed in Cr. Misc. No. 10165 of 2023.

4. Learned APP for the State opposes the bail prayer of the petitioner.

5. Considering the above submissions and mainly the petitioner's fair and clean antecedent and the 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 Kasma P.S. Case No. 05 of 2023.

(Shailendra Singh, J)

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