

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15918 of 2023

Arising Out of PS. Case No.-20 Year-2023 Thana- SANOKHAR District- Bhagalpur

Rahul Kumar Son of Upendra Yadav R/V- Mirjanhat Ishwarnagar, Ward no. 48, P.S- Ishakchak, dist- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance:

For the Petitioner/s : Mr. Rajive Ranjan Singh, Advocate

For the Opposite Party/s : Mr. Kumar Ranjit Ranjan, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 2 13-04-2023 Let the defects, 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 the learned APP for the State.
3. Petitioner seeks regular bail in connection with Sanokhar (Amdanda) P.S. Case No. 20 of 2023 dated 20.01.2023 registered for the offence punishable under Section 30(a) of Bihar Prohibition and Excise Act.
4. As per the prosecution, the police party while vehicle checking apprehended this petitioner alongwith co-accused with a motorcycle and upon search, illicit liquor of different brands were recovered.
5. The main submissions advanced by learned counsel for

petitioner are that the petitioner has fair and clean antecedent, the FIR goes to show that the compliance of Section 82 of Bihar Prohibition and Excise Act was not done by the police, though the petitioner was found driving the alleged motorcycle but the same does not belong to him and the mandatory provisions of Section 100 of Cr.P.C. were not followed by the police and the petitioner has been languishing in jail since 21.01.2023.

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

7. Considering the above submissions and mainly the petitioner's fair and clean antecedent and his custody period, 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 Sanokhar(Amdanda) P.S. Case No. 20 of 2023.

(Shailendra Singh, J)

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