

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17788 of 2023

Arising Out of PS. Case No.-20 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Begusarai

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Kanhaiya Singh @ Kanhaiya Kumar Singh Son Of Kedar Singh Resident Of
Village Khamhar, PS Muffasil, Dist Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Sunil Kumar Singh, Advocate

For the Opposite Party/s : Mr. Pushpa Sinha.1, APP

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 2 21-04-2023 1. 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 Government Official Complaint Excise P.S. Case No. 20C2 of 2019 dated 14.02.2019 registered for the offence punishable under Section 30(a) of Bihar Prohibition and Excise (Amendment) Act, 2018.
4. The main submissions advanced by learned counsel for petitioner are that petitioner was not arrested at the spot of recovery of country-made foreign liquor and his name surfaced in the statement of co-accused Niraj Kumar Singh @ Sunny who was apprehended at the spot with the alleged liquor and accordingly

the seized wine cannot be deemed to have been recovered from the possession of this petitioner and he has been dragged in this case mainly on the basis of the statement given by the said co-accused before the police. Further submissions are that though against the petitioner there are criminal antecedents of three cases but he is on bail in all the said cases and in the present matter he has been languishing in jail since 02.02.2023 and against him the investigation has been completed.

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

6. Considering the above submissions, 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 Government Official Complaint Excise P.S. Case No. 20C2 of 2019.

(Shailendra Singh, J)

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