

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19055 of 2023

Arising Out of PS. Case No.-114 Year-2021 Thana- KISHUNPUR District- Supaul

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RUPESH KUMAR YADAV Son of Sanichar Yadav Resident of Village-
Giripatti, Ward No. 08, Police Station-Raghopur, District-Supaul

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun, Advocate

For the Opposite Party/s : Mr. Khurshid Anwar, APP

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 2 09-05-2023 1. Heard learned counsel for the petitioner and
the learned APP for the State.
2. Petitioner seeks regular bail in connection
with S.T. No.572 of 2021 arising out of Kishanpur P.S. Case
No.114 of 2021 dated 12.06.2021 registered for the offence(s)
punishable under Section(s) 420 of the Indian Penal Code and
Section(s) 30(a), 38(i) and 41(i) of the Bihar Prohibition and
Excise Act.
3. The main submissions advanced by the
learned counsel for the petitioner are that the instant matter
relates to the recovery of 2659.320 litres of english wine from a
truck and 665.280 litres of english wine from a Magic pickup
van and petitioner is stated to be owner of the said Magic pickup
van, in fact the petitioner had no knowledge of the loaded



alleged wine which is stated to have been recovered from his vehicle and he has been made accused mainly on the ground of being owner of the said vehicle and he was not apprehended at the spot and petitioner has fair and clean antecedent and has been languishing in jail since 25.12.2022 and against him the investigation has been completed.

4. Learned APP appearing for the State opposes the bail prayer.

5. Considering the above submissions and mainly the completion of investigation against the petitioner and his young age and also the facts that the petitioner was not arrested at the spot of the recovery and he has fair and clean antecedent, 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 S.T. No.572 of 2021 arising out of Kishanpur P.S. Case No.114 of 2021 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.

(Shailendra Singh, J)

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