

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22470 of 2023

Arising Out of PS. Case No.-693 Year-2022 Thana- PARSABAZAR District- Patna

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AJAY KUMAR @ JAY KUMAR S/O- Vishwanath Prasad @ Vishwanath Gupta @ Shivnath Gutpa Resident Of Village- Jahidpur, Punpun, P.S.- Punpun, District- Patna, Bihar, Pin- 804453

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajendra Kumar Sharma, Advocate
Mr. Rajesh Chandra, Advocate

For the Opposite Party/s : Mr. Suresh Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 11-05-2023 1. Heard learned counsel for the petitioner and learned APP for the State.

2. Petitioner seeks regular bail in connection with Parsa Bazar P.S. Case No. 693 of 2022, dated 23.12.2022 registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The main submissions advanced by petitioner's counsel are that the instant matter relates to the recovery of 125 litres of country-made *illicit Mahua Wine* and the same is stated to have been recovered from a *passenger tempo* and the petitioner is neither owner nor driver of the said tempo, though as per prosecution he was apprehended from the said vehicle but in actual he was bonafidely riding on the said vehicle as a



passenger and he had no knowledge of the alleged wine being loaded in the alleged vehicle and he has fair and clean antecedent and has been languishing in jail since 19.12.2022 and against him the investigation has been completed.

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

5. Considering the above submissions and mainly petitioner's young age, his fair and clean antecedent as well as 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 the concerned Court in connection with Parsa Bazar P.S. Case No. 693 of 2022.

(Shailendra Singh, J.)

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