

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19559 of 2023

Arising Out of PS. Case No.-356 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Samastipur

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VIRENDRA KUMAR @ BIRENDRA KUMAR Son of Ram Sewak Singh
R/V- Morsand Gokhula, P.S.- Pusa, District - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar, Advocate

For the Opposite Party/s : Mr. Suresh Prasad Singh, 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 learned APP for the State.
2. Petitioner seeks regular bail in connection with Excise P.S. Case No. 356 of 2022, dated 29.09.2022 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 32.80 litres of *English Wine* and the same is stated to have been recovered from an *Alto Car* but petitioner was not apprehended at the spot and his name was disclosed by local persons who gathered at the place of recovery and the petitioner has no concern with the seized vehicle and the recovery of the alleged



wine was not made from his conscious possession and he has been languishing in jail since 18.01.2023 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 the custody period of the petitioner and completion of investigation against him and also the fact that the petitioner was not apprehended at the spot of recovery and as per above submission he is not stated to be the owner of the alleged vehicle from which alleged wine was recovered, 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 Excise P.S. Case No. 356 of 2022.

(Shailendra Singh, J.)

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