

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20075 of 2023

Arising Out of PS. Case No.-11 Year-2023 Thana- BIHPUR District- Bhagalpur

ARVIND KUMAR Son of Dasrath Mandal @ Daso Mandal R/V- Bihula Toli,
PS- Parbatta Dist- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 22468 of 2023

Arising Out of PS. Case No.-11 Year-2023 Thana- BIHPUR District- Bhagalpur

GOLDEN CHOUDHARY @ SUNDER KUMAR S/O- Ramkishore
Choudhary Resident Of Village- Sindhia Makandpur, P.S.- Gopalpur District-
Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 20075 of 2023)

For the Petitioner/s : Mr. Tribhuwan Narayan, Advocate

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

(In CRIMINAL MISCELLANEOUS No. 22468 of 2023)

For the Petitioner/s : Mr. Shashank Shekhar, Advocate

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 2 10-05-2023 1. As both the criminal miscellaneous petitions
- have arisen out of same P.S. case, hence they are being heard
- together and decided by a common order.
2. Heard learned counsels for the petitioners and
- learned APPs for the State.
3. Petitioners seek regular bail in connection with



Bihpur P.S. Case No. 11 of 2023, dated 11.01.2023 registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

4. The main submissions advanced by learned counsel for the petitioner Arvind Kumar are that the instant matter relates to the recovery of 1.50 litres of *english wine* and the same is stated to have been recovered from a *Baleno Car* and as per prosecution's allegation the petitioner was found sitting in the said vehicle but he had no knowledge about the alleged wine being kept in the said vehicle and he was *bonafidely* travelling in the said vehicle.

5. The main submissions advanced by learned counsel for the petitioner Golden Choudhary @ Sunder Kumar are that the petitioner has been made accused merely on account of being the registered owner of the alleged *Baleno Car* but he had no concern with the seized wine and he has fair and clean antecedent. Further submissions advanced by learned counsels of both the petitioners are that against the petitioners investigation has been completed and they have been languishing in jail since 12.01.2023.

6. Learned APPs appearing for the State oppose the prayer for bail of both the petitioners.



7. Considering the above submissions and mainly custody period of the petitioners and completion of investigation against them, in my opinion it is a fit case for bail to the petitioners. Accordingly, let both the petitioners named-above be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the concerned Court in connection with Bihpur P.S. Case No. 11 of 2023.

(Shailendra Singh, J.)

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