

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22207 of 2023

Arising Out of PS. Case No.-485 Year-2022 Thana- MAHUA District- Vaishali

RAHUL KUMAR SON OF GANESH SINGH @ GANESH KUMAR
SINGH RESIDENT OF VILLAGE - BHAGWANPUR TARAURA, P.S. -
MAHUA, DISTT. - VAISHALI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

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

2. Petitioner seeks regular bail in connection with Mahua P.S. Case No.485 of 2022 dated 30.07.2022 registered for the offence(s) punishable under Section(s) 30(a) of Bihar Prohibition and Excise Act.

3. The main submissions advanced by the learned counsel for the petitioner are that the instant matter relates to recovery of 155.340 litres of country-made foreign liquor and the same is stated to have been recovered from a house made of bricks and asbestos but the same does not belong to this petitioner and one person namely Sukhdev Singh is the owner of the said house and the alleged wine was not recovered



from the conscious possession of this petitioner and petitioner was not arrested at the spot of recovery and he was remanded in the present matter from another P.S case and he has been languishing in jail since 24.02.2023 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 this petitioner and his custody period and also the fact that the petitioner has taken the plea that the alleged place of recovery of wine does not belong to him and he was not apprehended at the spot of recovery, 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 Mahua P.S. Case No.485 of 2022 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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