

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19554 of 2023

Arising Out of PS. Case No.-542 Year-2022 Thana- DHANARUA District- Patna

Manoj Sharma @ Manoj Kumar Sharma, Son of Vikash Sharma @ Vikash Thakur, Resident of Village - Bhubhi, P.S.- Nagarnausa, District - Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jay Ram Prasad, Advocate
For the Opposite Party/s : Ms. Sharda Kumari., APP

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 Special P.S. Case No. 5590 of 2022 arising out of Dhanarua P.S. Case No. 542 of 2022 dated 09.09.2022 registered for the offence punishable under Section 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 the recovery of 273.75 litres of foreign liquor and the same is stated to have been recovered from a pick-up van, the petitioner is the registered owner of the said vehicle but he was not apprehended at the spot of recovery and his vehicle was in the possession of his driver Shiv Kuamr @ Sadhu, who was apprehended at the



spot with the alleged wine, the petitioner had no knowledge of smuggling of the alleged wine by his vehicle and he has fair and clean antecedent 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 petitioner's fair and clean antecedent and completion of investigation against him and also the fact that the petitioner was not apprehended at the spot of recovery and his vehicle was found in the possession of another person, who has been made accused in this case, in the opinion of this court, the petitioner deserves to a lenient approach of this court. Accordingly, let the petitioner be released on bail in connection with Dhanarua P.S. Case No. 542 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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