

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20344 of 2023

Arising Out of PS. Case No.-46 Year-2023 Thana- KHAJEKALA District- Patna

RAJA KUMAR, male, age 22 years, SON OF RAM MURTI RAY @ MURTI RAY R/O VILLAGE- NAUZAR GHAT, P.S.- KHAJEKALAN, DISTRICT- PATNA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rudra Deo, Advocate

For the Opposite Party/s : Mr. Bishweshwar Ram, App

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 10-05-2023 1. Heard learned counsel for the petitioner and the learned APP for the State.

2. Petitioner seeks regular bail in connection with Khajekalan P.S. Case No. 46 of 2023 dated 31.01.2023 registered for the offence(s) punishable under Section(s) 414 of the Indian Penal Code and Section 30(a) of the 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 120 litres of illicit county made liquor and the same is stated to have been recovered from a Scooty but the petitioner was not arrested at the spot and his name came into light in the statement of co-accused Ramesh Kumar @ Jhotaila, who is stated to have been arrested at the spot with whom the petitioner has no good relation, though against the petitioner,



there are criminal antecedents of two cases but he is on bail in both the cases and in the present matter the petitioner has been languishing in jail since 01.02.2023 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 the petitioner, his young age, as mentioned in the petition and also the fact that the petitioner was not apprehended at the spot of recovery and his name came into light in the statement of co-accused, as mentioned above, who is stated to have been arrested at the spot and as per the statement made in paragraph no.14 of the petition, there is no good relation in between the said co-accused and the petitioner, 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 Khajekalan P.S. Case No. 46 of 2023 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.

Sanjay/-

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(Shailendra Singh, J)

