

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20592 of 2023

Arising Out of PS. Case No.-145 Year-2023 Thana- SASARAM NAGAR District- Rohtas

KRISHNA KUMAR, aged about 25 years, Male, S/O BHAGWATI PRASAD
SAW R/O Mohalla- Kila, P.S- Sasaram (T), Distt.- Rohtas at Sasaram.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Ms. Riya Singh, Advocate Mr.Raghunandan Kumar Singh, Advocate
For the Opposite Party/s :		Mr.Md. Nazir Ansari, 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 Sasaram(T) P.S. Case No. 145 of 2023 dated 16.02.2023 registered for the offence(s) punishable under Section 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 in the present matter the alleged offence under Section 414 of Indian Penal Code as mentioned in the FIR is not made out against the petitioner as alleged motorcycle is a purchased motorcycle of the petitioner and in support of this fact, the copy of sell letter has been filed



with this petition vide Annexure 3 and so far as the recovery of the alleged wine is concerned, only 4.860 litres of foreign liquor is stated to have been recovered from the petitioner's motorcycle but the same was not recovered from the conscious possession of this petitioner and moreover the petitioner has fair and clean antecedent and has been languishing in jail since 17.02.2023 and against him, the investigation has been completed and he is a young person.

4. Learned APP appearing for the State opposes the bail prayer.

5. Considering the above submissions and mainly the petitioner's fair and clean antecedent, completion of investigation against him and his custody period, 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 Sasaram(T) P.S. Case No. 145 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.

(Shailendra Singh, J)

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