

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21128 of 2023

Arising Out of PS. Case No.-114 Year-2022 Thana- BARAUNI District- Begusarai

Shashi Bhushan Singh, Son of Sri Manoj Kumar Singh @ Manoj Prasad Singh, Resident of Village- Sakarwar Tola Ward No. 16, P.S- Mokama, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

Mr. Mrinal Shankar, Advocate

For the Opposite Party/s : Mr. Raj Ballabh Singh, 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 Barauni (Refinery) P.S. Case No. 114 of 2022 dated 14.03.2022 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 276 litres of foreign liquor and the same is stated to have been recovered from the petitioner's truck but at the time of recovery the petitioner was not found at the spot of recovery and petitioner's truck is a commercial vehicle and the same was being driven by a driver at the time of recovery and the petitioner had no knowledge regarding the loaded alleged wine



and he has been languishing in jail since 25.02.2023 and against him the investigation has been completed. Further submission is that against the petitioner there is criminal antecedent of one case in which he is on bail.

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

5. Considering the above submissions and mainly petitioner's custody period and completion of investigation against the petitioner and also the fact that petitioner was not arrested at the spot of recovery and the alleged vehicle, which is under the ownership of this petitioner, was being used for the commercial purpose at the time of recovery, 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 Barauni (Refinery) P.S. Case No. 114 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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