

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.22200 of 2023

Arising Out of PS. Case No.-76 Year-2023 Thana- KOTWALI District- Patna

Pushkar Prabhat @ Shivam S/O Prabhat Kumar Resident of Village- Pidhauri
Amjadpur Bithauri, P.S.- Teghra, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Saket Kumar, Adv.

For the Opposite Party/s : Mr. Rabindra Kumar, 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
Kotwali P.S. Case No. 76 of 2023 dated 29.01.2023 registered
for the offence punishable under Section 30(a) of Bihar
Prohibition and Excise Act.

3. The main submissions advanced by learned
counsel for the petitioner are that the instant matter relates to the
recovery of total 272.130 litres of *country made foreign liquor*
and the same is stated to have been recovered from three
vehicles and an apartment and as per the allegation, the
petitioner is stated to have concern with one of the vehicles,
from which, only 9 litres of foreign liquor was recovered but in
actual, the said vehicle (*Alto Car*) belongs to someone else and
the petitioner had no concern with the said vehicle and one co-



accused namely Chandan Kumar, who is stated to have been arrested with this petitioner, has been granted bail by a co-ordinate Bench of this Court vide order passed in Cr. Misc. No. 19979/2023. Further submissions are that the petitioner has fair and clean antecedent and has been languishing in jail since 30.01.2023 and against him, the investigation has been completed. Further submissions are that the petitioner is a student of graduation level and he is also making preparation of competitive examinations and he has remained a bright student.

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

5. Considering the above submissions and mainly the petitioner's fair and clean antecedent, completion of the investigation against him and also the fact that one co-accused Chandan Kumar is on bail, in my opinion it is a fit case for bail to the petitioner. Accordingly, let the petitioner named-above be enlarged on bail 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 in connection with Kotwali P.S. Case No. 76 of 2023.

(Shailendra Singh, J)

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