

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22205 of 2023

Arising Out of PS. Case No.-37 Year-2023 Thana- CHAUSA District- Madhepura

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RAM BARAN KUMAR SON OF JANGLI MANDAL RESIDENT OF
VILLAGE- RASHIDPUR DIYARA, WARD NO.03, P.S. - NATH NAGAR,
DISTT. - BHAGALPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Dr. Sanjay Kumar Singh, Advocate

For the Opposite Party/s : Mrs. Pushpa Sinha.1, APP

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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 Chousa (Fulaut) P.S. Case No.37 of 2023 dated 08.02.2023
registered for the offence(s) punishable under Section(s) 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 recovery of 346.680 litres of Indian made english wine
and the same is stated to have been recovered from a Magic
pickup vehicle and as per the allegation petitioner was found
sitting in the said vehicle at the time of recovery but in actual
the petitioner was present in the said vehicle as it's driver and he



was bonafidely performing his duty and he had no knowledge of the loaded wine in the alleged vehicle and he has fair and clean antecedent and has been languishing in jail since 09.02.2023 and against him the investigation has been completed and he is not owner of the seized vehicle.

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 and the completion of investigation against him, 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 Chousa (Fulaut) P.S. Case No.37 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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