

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23969 of 2023**

Arising Out of PS. Case No.-85 Year-2023 Thana- MAGADH MEDICAL COLLEGE
District- Gaya

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Akash Kumar Son Of Late Bablu Chaudhary Resident Of Village- Darachak,
P.S.- Chandauti, District- Gaya

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Yadav, Adv.

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP.

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**CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER**

- 2 12-05-2023
1. Let the defects, if any, pointed out by the office be removed within three weeks from the date of this order, failing which the matter be listed again under the appropriate heading for necessary action.
 2. Heard learned counsel for the petitioner and the learned APP for the State.
 3. Petitioner seeks regular bail in connection with Magadh Medical P.S. Case No. 85 of 2023 dated 24.02.2023 registered for the offence punishable under Section 30(a) of Bihar Prohibition and Excise Act.
 4. The main submissions advanced by learned counsel for the petitioner are that the instant matter relates to the recovery of 64 litres of illicit country made liquor (*Mahua*) and the same is stated to have been recovered from a two wheeler



(*scooty*) and the petitioner is a young person, who has been falsely made accused in this case mainly on the basis of suspicion but in actual, he had no connection with the said vehicle and he is not the owner of the same. Further submissions are that the petitioner has fair and clean antecedent and has been languishing in jail since 25.02.2023 and against him, the investigation has been completed and the alleged liquor was not recovered from his conscious possession.

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

6. Considering the above submissions and mainly the petitioner's young age, his fair and clean antecedent and completion of the investigation against him, 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 Magadh Medical P.S. Case No. 85 of 2023.

(Shailendra Singh, J)

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