

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25322 of 2023

Arising Out of PS. Case No.-219 Year-2023 Thana- GOVERNMENT OFFICIAL COMP.
District- Jamui

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Bhavesht Das S/O Sri Saralu Das R/O Village- Thari Dulampur, Ward No.- 35,
P.S- Kunda, Distt.- Deoghar.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vivekanand Vivek, Adv.
For the Opposite Party/s : Mr. Parmanand Prasad, APP.

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 2 15-05-2023 **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 JAM No. 219 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 171 litres of *country made foreign liquor* and the



same is stated to have been recovered from a car (*Maruti Super Carry*) and the petitioner is neither owner nor driver of the alleged car and he has wrongly been shown as driver of the said vehicle but in fact at the time of recovery, the petitioner was bonafidely present in the said vehicle as a *labourer* and he has fair and clean antecedent and has been languishing in jail since 25.02.2023 and against him, the investigation has been completed.

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

6. Considering the above submissions and mainly the petitioner's 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 JAM No. 219 of 2023.

(Shailendra Singh, J)

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