

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24540 of 2023

Arising Out of PS. Case No.-419 Year-2022 Thana- BHELDI District- Saran

Naru Rai Son of Bhola Rai Resident of village-Masumganj, P.S.-Bhagwan
Bazar, District-Saran (Chapra)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Advocate
For the Opposite Party/s : Mr. Ramesh Chandra, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 2 15-05-2023 1. Heard learned counsel for the petitioner and the learned
APP for the State.
2. Petitioner seeks regular bail in connection with Bheldi
P.S. Case No. 419 of 2022 dated 15.12.2022 registered for the
offence punishable under Section 30(a) of Bihar Prohibition and
Excise Act.
3. The main submissions advanced by learned counsel for
petitioner are that the instant matter relates to the recovery of
247.500 litres of country-made liquor and the same is stated to
have been recovered from a passenger tempo and as per
allegation, three persons were apprehended with the alleged
liquor from the said tempo but the petitioner was not
apprehended with them and the petitioner's name came into
light in the statement of apprehended co-accused persons and

except this there is no any other material against him to connect to the alleged recovery of liquor and the petitioner, has been languishing in jail since 09.02.2023 and against him the investigation has been completed. It is further submitted that petitioner is neither owner nor driver of the alleged tempo.

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

5. Considering the above submissions and mainly the facts that the petitioner was not apprehended at the spot of recovery and his name came into light in the statement of apprehended co-accused persons and the investigation has been completed 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, **after framing of charge, if the same has not been framed**, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of concerned Court in connection with Bheldi P.S. Case No. 419 of 2022.

(Shailendra Singh, J)

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