

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24554 of 2023

Arising Out of PS. Case No.-123 Year-2023 Thana- RAJGIR District- Nalanda

Tunari Singh @ Dhananjay Kumar S/O Subodh Singh Resident of Village-
Baksu, P.S.- Rajgir, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance:

For the Petitioner/s : Mr. Ram Prawesh Kumar, Advocate
For the Opposite Party/s : Mr. Surendra Kumar, 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. Having considered the prayer made by learned counsel
for the petitioner, permission is accorded to make the necessary
corrections in the prayer portion of the petition with regard to
the details of the Court.
3. Petitioner seeks regular bail in connection with Rajgir P.S.
Case No. 123 of 2023 dated 01.03.2023 registered for the
offence punishable under Section 30(a) of Bihar Prohibition and
Excise Act.
4. The main submissions advanced by learned counsel for
petitioner are that the instant matter relates to the recovery of
117 litres of foreign liquor from an Alto car and 31.500 litres of
English wine from a bush and petitioner's name came into light

in the confessional statements of co-accused persons namely, Mithilesh Vishkarma and Ranvir Nayak @ Anil Kumar, except this there is no any other material against him to connect to the alleged recovery of wine and he has been languishing in jail since 05.03.2023 and the alleged wine was not recovered from conscious possession of this petitioner and the petitioner was not arrested at the spot of recovery.

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

6. Considering the above submissions and mainly the facts that the petitioner was not arrested at the spot of recovery and his name came into light in the confessional statement of the arrested co-accused persons mentioned above and the completion of 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 concerned Court in connection with Rajgir P.S. Case No. 123 of 2023.

(Shailendra Singh, J)

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