

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25890 of 2023

Arising Out of PS. Case No.-187 Year-2022 Thana- MANJHAGARH District- Gopalganj

Dilip Ram S/O Radha Ram R/O Village- Madhusareya, Gosaitolla, P.S-
Manjhagarh, Distt.- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Adarsh Ranjan, Adv.

For the Opposite Party/s : Ms. Sucheta Yadav, App.

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 Manjhagarh P.S. Case No. 187 of 2022 dated 13.06.2022 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 596.16 litres of *country made foreign liquor* and the same is stated to have been recovered from a *Scorpio* vehicle



and as per prosecution's story, two persons managed to escape from the alleged vehicle at the time of recovery and the petitioner is stated to be one of them as per the local *Chawkidar* but in fact, the petitioner was not present in the alleged vehicle at the time of recovery and the said local *Chawkidar* disclosed the name of this petitioner on account of his previous criminal antecedents and the petitioner is neither owner nor driver of the alleged vehicle and he was not apprehended at the spot of recovery and against him, the investigation has been completed. Further submissions are that the petitioner has been languishing in jail since 05.03.2023 and against him, there are criminal antecedents of three cases but he is on bail in all the said cases.

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

6. Considering the above submissions and mainly completion of the investigation against this petitioner and also the facts that the petitioner was not apprehended at the spot of recovery and his name was disclosed by local *Chawkidar*, 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**, 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
Manjhagarh P.S. Case No. 187 of 2022.

(Shailendra Singh, J)

annu/-

U		T	
---	--	---	--

