

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27316 of 2023

Arising Out of PS. Case No.-861 Year-2018 Thana- NAWADA District- Nawada

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Jaswant Rana, Son of Sitaram Rana, Resident of Village - Kodarma, P.S. -
Kodarma, District. - Kodarma

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Shilpi Keshri, Advocate

For the Opposite Party/s : Ms. Meena Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 2 16-05-2023 1. Heard learned counsel for the petitioner and the
learned APP for the State.
2. Petitioner seeks regular bail in connection with
Nawada P.S. Case No. 861 of 2018 dated 24.11.2018 registered
for the offence punishable under Section 30 (a) of Bihar
Prohibition and Excise Act.
3. The main submissions advanced by the learned
counsel for the petitioner are that the instant matter relates to the
recovery of 256 litres of country made liquor from a Maruti Alto
car and the petitioner is not named in the FIR and one person
namely, Yogendra Singh is stated to have been arrested at the
spot of recovery from the said vehicle and the said person
disclosed himself as a driver of the alleged vehicle but he did



not reveal the name of this petitioner as per FIR and the said co-accused has been granted bail by a co-ordinate Bench of this Court vide order passed in Cr. Misc. No. 4078 of 2019 and during investigation petitioner was dragged in this case merely on the basis of confessional statement of the arrested co-accused and the FIR was registered in the year 2018 and petitioner was arrested on 13.02.2023 and against him the investigation has been completed.

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

5. Considering the above submissions and mainly the facts that the petitioner is not named in the FIR and the co-accused who was arrested with the alleged vehicle and alleged liquor is on bail as mentioned above and later during investigation the petitioner's name was disclosed by the arrested co-accused Yogendra Singh as per above submission but at the time of arrest the said co-accused remained silent regarding the petitioner's involvement in the alleged crime, in my opinion, it is a fit case for bail to the petitioner. Accordingly, let the petitioner named-above be enlarged on bail in connection with Nawada P.S. Case No. 861 of 2018 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.

(Shailendra Singh, J)

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