

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25365 of 2023

Arising Out of PS. Case No.-79 Year-2023 Thana- WAJIRGANJ District- Gaya

RAJ KAPOOR KUMAR SON OF SUKHDEO PRASAD @ SUKHDEO
YADAV R/O VILLAGE- MEYARI, P.S.- FATEHPUR, DISTRICT- GAYA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vishwa Ranjan Choudhary, Advocate

For the Opposite Party/s : Mr. Suresh Prasad Singh, 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 Wazirganj P.S. Case No.79 of 2023 dated 13.02.2023
registered for the offence(s) punishable under Section(s)
30(a)/45 of the 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 250 litres of illicit country-made liquor
and the same is stated to have been recovered from a tempo and
as per allegation the petitioner was found sitting in the said
tempo but petitioner was bonafidely present in the said tempo as
a passenger and he had no knowledge about the seized loaded
wine and he has fair and clean antecedent and the said vehicle



was being driven by co-accused Bablu Kumar @ Abhishek Kumar and the alleged wine was not recovered from the conscious possession of this petitioner. Further submissions are that against the petitioner the investigation has been completed and he has been languishing in jail since 14.02.2023.

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

5. Considering the above submissions and mainly the petitioner's fair and clean antecedent 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 in connection with Wazirganj P.S. Case No.79 of 2023 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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