

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29034 of 2023

Arising Out of PS. Case No.-303 Year-2022 Thana- PIPRA District- East Champaran

RAJESH KUMAR Son of Amerika Sahani @ Amerika Choudhary Resident
of village - Hathiyahi, P.S.- Pipra Kothi, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh, Advocate

For the Opposite Party/s : Mrs. Veena Kumari Jaiswal, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 18-05-2023 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. Petitioner seeks regular bail in connection with
Pipra P.S. Case No. 303 of 2022, dated 17.10.2022 registered for
the offences punishable under Sections 30(a) and 41(i) of the
Bihar Prohibition and Excise Act.

3. The main submissions advanced by petitioner's
counsel are that the instant matter relates to the recovery of 26
litres of *country-made illicit wine* but as per allegation this
petitioner and one other co-accused person were carrying the
alleged liquor on a motorcycle but on seeing the police party
they fled away and admittedly this petitioner was not arrested at
the spot and his name was disclosed by local people who
gathered at the place of recovery and the petitioner has been
languishing in jail since 13.02.2023 and he was remanded in the



present matter from Pipra P.S. Case No. 28 of 2023 and thereafter he was remanded in several other cases one after another and the seizure list witnesses are not independent persons and against the petitioner investigation has been completed.

4. Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

5. Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record and also the completion of investigation against the petitioner, I deem it fit and proper to admit the petitioner to the privilege of bail.

6. 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 the Court concerned in connection with Pipra P.S. Case No. 303 of 2022.

(Shailendra Singh, J.)

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