

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.28136 of 2023

Arising Out of PS. Case No.-34 Year-2023 Thana- DIDARGANJ District- Patna

RAVIN KUMAR @ RABIN KUMAR, aged about 30 years, Gender- Male,
Son Of Nawal Singh @ Naval Kishor Singh Resident Of Village- Kothiya,
Ps- Didarganj, Distt- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jay Ram Prasad, Advocate

For the Opposite Party/s : Mr.Surendra Kumar, App

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 2 17-05-2023 1. As prayed for, learned counsel for the petitioner is permitted to make necessary correction in paragraph no.8 of the petition in the course of the day.
2. Heard learned counsel for the petitioner and the learned APP for the State.
3. Petitioner seeks regular bail in connection with Didarganj P.S. Case No. 34 of 2023 dated 27.01.2023 registered for the offence(s) punishable under Section(s) 30(a) and 36 of the Bihar Prohibition and Excise Act.
4. The main submissions advanced by the learned



counsel for the petitioner are that the instant matter relates to the recovery of 100 litres of country made liquor and the same is stated to have been recovered near a factory and as per FIR, this petitioner and co-accused were not arrested at the spot and the local persons, who gathered at the place of recovery, disclosed their names as being involved in the alleged crime but except the said disclosure there is no any material against the petitioner and the alleged wine was not recovered from the conscious possession of this petitioner and he has fair and clean antecedent and has been languishing in jail since 30.01.2023 and against him, the investigation has been completed and the seizure list witnesses are police personnel and accordingly there is no independent witness of the search and seizure of the alleged wine.

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

6. 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.



7. Accordingly, let the petitioner named-above be enlarged on bail in connection with Didarganj P.S. Case No. 34 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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