

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25335 of 2023

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

Raja Kumar S/O Balav Singh @ Raj Ballam Singh Resident Of Village-Kothiya,
Police Station-Didarganj, District-Patna

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Khurshid Anwar, 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. Learned counsel for the petitioner is permitted to make necessary correction in para 8 of this petition with regard to the quantity of the alleged liquor in course of the day.
3. Petitioner seeks regular bail in connection with Didarganj P.S. Case No. 34 of 2023 dated 27.01.2023 registered for the offences punishable under Sections 30(a) and 36 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 50 litres of *country made illicit liquor* and the same is stated to have been recovered near a factory and as per allegation, this petitioner and co-accused Rovin Kumar indulged in selling of the seized illicit liquor but the said allegation is

completely false and the petitioner was not apprehended at the spot of recovery and his name was disclosed by local people, who gathered at the place of recovery but the source of information, on which basis this petitioner has been made accused in this case is not reliable and has no evidentiary value and against this petitioner, there is criminal antecedent of one case in which he is on bail and in the present matter, he has been languishing in jail since 05.03.2023 and against him, the investigation has been completed.

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

6. Considering the above submissions and mainly the completion of the investigation against this petitioner and also the fact that the petitioner was not apprehended at the spot of recovery, in my opinion it is a fit case for bail to the petitioner. Accordingly, let the petitioner named-above be enlarged on bail 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 Didarganj P.S. Case No. 34 of 2023.

(Shailendra Singh, J)

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