

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26984 of 2023

Arising Out of PS. Case No.-140 Year-2023 Thana- RAMKRISHNANAGAR District- Patna

Md. Ishteyak, Son of Md. Jahir, Resident of village - Nadma (Nadwan), P.S. -
Dhanarua, District. - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ghanshyam Tiwary, Advocate

For the Opposite Party/s : Mr.Nand Kumar, APP

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
Special Case No. 2264 of 2023 arising out of Ramkrishna Nagar
P.S. Case No. 140 of 2023 dated 01.03.2023 registered for the
offences punishable under Sections 30 (a), 32(ii), (iii) and 41 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 456 litres of country made liquor from a Santro Car,
though as per allegation, the petitioner was found in the said
vehicle at the time of recovery but in actual he was discharging
his duty as a driver at the instruction of vehicle's owner who is a
different person and he has also been made accused and



petitioner has been languishing in jail since 02.03.2023 having fair and clean antecedent and against him the 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 in connection with Special Case No. 2264 of 2023 arising out of Ramkrishna Nagar P.S. Case No. 140 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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