

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28428 of 2023

Arising Out of PS. Case No.-84 Year-2023 Thana- TEGHRHA District- Begusarai

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GOVIND KUMAR @ GOVIND SINGH Son Of Ram Sharan Singh, Vill-
Madhurapur, Puwari Tola, P.S.- Teghara, Distt- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Braj Bhushan Poddar, Advocate

For the Opposite Party/s : Mr. Shyam Bihari Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 2 17-05-2023 1. Heard learned counsel for the petitioner and
learned APP for the State.
2. Petitioner seeks regular bail in connection with
Teghara P.S. Case No. 84 of 2023, dated 02.03.2023 registered
for the offence punishable under Section 30(a) 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
45.540 litres of *foreign liquor* and the same is stated to have
been recovered from an Orchard (*Gachhi*), near Cabin No. 10
situated at Barauni Flag and as per allegation petitioner is stated
to have been arrested at the spot of recovery and other co-
accused persons managed to escape but in actual the petitioner



was arrested on suspicion and the police did not follow the mandate of Section 100 of Cr. P.C while making the recovery and the petitioner has been wrongly shown as being arrested at the spot of recovery and the alleged liquor was not recovered from the conscious or constructive possession of this petitioner and he has been languishing in jail since 02.03.2023 and against him the investigation has been completed. Further submissions are that against the petitioner there are criminal antecedents of five cases in which he is on bail.

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 Teghara



P.S. Case No. 84 of 2023.

(Shailendra Singh, J.)

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