

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28693 of 2023

Arising Out of PS. Case No.-345 Year-2023 Thana- GOVERNMENT OFFICIAL COMP.
District- Kishanganj

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KRISHNA SAH @ KRISHNA SHAH Son of Subodh Prasad Sah @ Subal Prasad Sah Resident of Village - Chakla Ward No.- 09, P.S.- Kishanganj, District - Kishanganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ram Prawesh Kumar, Advocate

For the Opposite Party/s : Mr.Rajendra Prasad Nat, 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 Madya Nisedh P.S. Case No.345 of 2023 giving rise to Special Case No.368 of 2023 dated 16.03.2023 registered for the offence(s) punishable under Section(s) 30(a) and 32(3) of the 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 100.770 litres of foreign liquor from a tempo but the petitioner is neither owner nor driver of the said vehicle and he has been wrongly shown as a driver of the alleged vehicle by the police, in fact the place of recovery is a busy place and at the time of recovery several persons gathered



there but none of them was made witness of the seizure and thereafter the petitioner was made scapegoat by the police and the real culprit managed to escape and petitioner has fair and clean antecedent and has been languishing in jail since 16.03.2023 and against him the investigation has been completed.

4. Per contra, learned APP appearing 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 Madya Nisedh P.S. Case No.345 of 2023 giving rise to Special Case No.368 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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