

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33270 of 2023

Arising Out of PS. Case No.-119 Year-2023 Thana- NAUBATPUR District- Patna

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Raushan Raj Son Of Raj Kumar Sahani Resident Of Village - Khemani Chak,
West Laxmi Nagar, P.S Ram Krishna Nagar, Distt- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rakesh Bihari Singh, Advocate

For the Opposite Party/s : Mr.Shaheen Begum, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 24-05-2023 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned A.P.P for the State.

The petitioner has preferred this application for grant of regular bail in connection with Naubatpur P.S. Case No. 119 of 2023, Special Case No. 384 of 2023 dated 21.02.2023 registered for the offences punishable under Sections 414 and 420 of the IPC and Sections 30(a), 32(ii)(iii), 36 and 41 (i)(ii) of the Bihar Prohibition and Excise Act.

As per the prosecution case, total 147.750 litres of foreign liquor was recovered from the two cars.



Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. The petitioner was neither the driver nor the owner of the said vehicles. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 27.02.2023.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner by submitting that the petitioner was present in the car when he was apprehended by the police.

Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Danapur, Patna in connection with Naubatpur P.S. Case No. 119 of 2023, Special Case No. 384 of 2023.

The application stands allowed.

(Chandra Prakash Singh, J)

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