

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29780 of 2023

Arising Out of PS. Case No.-495 Year-2022 Thana- DELHA District- Gaya

Vikash Kumar Son Of Late Suresh Sao @ Suresh Saw Resident of Village-
New Godown, Sabji Mandi, Police Station- Kotwali and District-Gaya

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Kumar No.2, Adv.

For the Opposite Party/s : Ms. Meena Singh, APP.

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 18-05-2023 1. Heard learned counsel for the petitioner and the
learned APP for the State.

2. Petitioner seeks regular bail in connection with
Delha P.S. Case No. 495 of 2022 dated 25.12.2022 registered
for the offences punishable under Sections 30(a), 45 and 37(2)
of Bihar Prohibition and Excise Act.

3. The main submissions advanced by learned counsel
for the petitioner are that the instant matter relates to the
recovery of one *cane (canister)* containing beer but the said
article is not stated to have been specifically recovered from the
possession of this petitioner and as per the allegation, this
petitioner and other co-accused persons were found in
intoxicated condition and except this, there is no any other
specific allegation against this petitioner. Further submissions



are that the petitioner is a very young person and against him there is criminal antecedent of one case which was lodged under the offences of I.P.C. and Arms Act and in the present matter, he has been languishing in jail since 26.12.2022 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 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 Delha P.S. Case No. 495 of 2022.

(Shailendra Singh, J)

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