

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34973 of 2023

Arising Out of PS. Case No.-155 Year-2023 Thana- NAUBATPUR District- Patna

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KHUSHI LAL KUMAR SON OF SAGUNI YADAV Residence of Gurpati
Chak, P.S.-Masaurhi, District-Patna

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manoj Kumar Singh

For the Opposite Party/s : Mr.Md. Nazir Ansari

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 25-05-2023 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. 155 of 2023 (Special No. 494 of 2023) dated 06.03.2023 registered for the offences punishable u/s 30(a), 41(i) of the Bihar Prohibition and Excise Act.

As per the prosecution case, total 1036 litres of country made liquor was recovered from a Xylo car and the petitioner was apprehended on the spot.

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 said recovery was made from Xylo car bearing Reg. No. BR01PB3096 which does not belong to the petitioner. Learned counsel has submitted that the petitioner has no concern with the alleged recovery. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 07.03.2023.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

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. 155 of 2023 (Special No. 494 of 2023).

The application stands allowed.

(Chandra Prakash Singh, J)

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