

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34149 of 2023

Arising Out of PS. Case No.-386 Year-2022 Thana- MOHANIYA District- Kaimur (Bhabua)

MIR SINGH Son of Sukhdev Singh @ Sukh Dev Resident of Village- Adudih
(Hatoondi), PS. Laudabash, District- Alwar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan

For the Opposite Party/s : Mr. Chandra Sen Prasad Singh

**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 Mohania P.S. Case No. 386 of 2022 dated 18.07.2022 registered for the offences punishable u/s 420, 467 and 468 read with 34 of the IPC and Sections 30(a) and 41(i) of the Bihar Prohibition and Excise Act.

As per the prosecution case, total 279.39 litres of illicit liquor was recovered from a vehicle.

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 name of the petitioner has sprung up in the confessional statement of the co-accused. The other co-accused persons have already been granted bail by the Co-ordinate Bench of this Court *vide* order dated 15.10.2022 passed in Cr. Misc. No. 46739 of 2022. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 16.04.2023.

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, Kaimur at Bhabhua in connection with Mohania P.S. Case No. 386 of 2022.

The application stands allowed.

(Chandra Prakash Singh, J)

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