

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39027 of 2023

Arising Out of PS. Case No.-826 Year-2021 Thana- KUDHNI District- Muzaffarpur

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Bholu Kumar @ Ratan Kumar, S/O Mahesh Sah, R/O Vill-Kerma, PS.
Maniyari, Dist. Muzaffarpur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Rajeev Ranjan No.I, Advocate
		Mr. Pranav Kumar, Advocate
		Mrs. Ahsana Gupta, Advocate
For the Opposite Party/s :		Mr.Md. Shakir Ahmad, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 05-07-2023 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 Kudhani P.S. Case No. 826 of 2021 dated 10.11.2021 registered for the offences punishable u/ss 272, 273 read with Section 34 and u/s 30(a) of the Bihar Prohibition and Excise Act.

As per the prosecution case, 765 litres of illicit foreign liquor was recovered from a Magic vehicle. The apprehended



person disclosed the name of the petitioner.

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 transpired in this case only on the basis of confessional statement of the co-accused person who has already been granted bail by the Coordinate Bench of this court vide order dated 25.05.2022 passed in Cr. Misc. No. 3542 of 2022. The petitioner is accused in seven other criminal cases as stated in para 3 of the bail petition. The petitioner is in custody since 10.02.2022.

Learned A.P.P. for the State has vehemently opposed the prayer of 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, Muzaffarpur in connection with Kudhani P.S. Case No. 826 of 2021 with the condition :-

1. The petitioner is directed to remain physically present before the learned Court below on each and every date,



failing which on two consecutive dates without reasonable
cause, his bail bonds is liable to be cancelled.

The application stands allowed.

(Chandra Prakash Singh, J)

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