

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37589 of 2023

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

KRISHNA KUMAR @ KISHAN KUAMR S/O RAMESHWAR R/O Village-
Jhabua, PS. Buwal, Dist. Rewari (Haryana)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala

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

ORAL ORDER

2 28-06-2023 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, 468 read with section 34 of the Indian Penal Code and sections 30(a), 41(1) of the Bihar Prohibition and Excise Act.

As per the prosecution case, total 279.39 litres of illicit foreign liquor was recovered from a *Maruti* car.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case.



The name of the petitioner has sprung up in the confessional statement of the co-accused. Nothing has been recovered from the conscious possession of the petitioner. Similarly situated co-accused has 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 is also accused in one more criminal case as stated in para 3 of the bail petition. The petitioner is in custody since 12.05.2023.

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 Bhabua in connection with Mohania P.S. Case No. 386 of 2022.

The application stands allowed.

(Chandra Prakash Singh, J)

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