

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42840 of 2023

Arising Out of PS. Case No.-300 Year-2023 Thana- GOVERNMENT OFFICIAL COMP.
District- Lakhisarai

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ABHINAV KUMAR son of Nagendra Singh @ Nagendra Prasad Singh
Village- Mano Rampur Ps- Surajgarha Dist- lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mukesh Kumar, Advocate
For the Opposite Party/s : Mr.Upendra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

- 3 26-07-2023 1. Heard learned counsel appearing on behalf of the
petitioner and learned APP appearing on behalf of the State.
2. The petitioner seeks bail in connection with Excise
P.S. Case No.300C2 of 2023 registered for the offence under
Sections 37(i) and 45 of the Bihar Prohibition and Excise Act.
3. The accused/petitioner is named in the F.I.R. and is
in custody since 24.03.2023.
4. The allegation against the petitioner is to be found
in drunken condition.
5. Learned counsel appearing on behalf of the
petitioner submitted that the allegation is limited as he found in
drunken condition and there is admittedly no recovery of illicit
liquor from his conscious physical possession. While



concluding the argument, it is submitted that petitioner found involved in three more cases, where he is on bail and moreover, investigation of this case has been completed, for which, charge-sheet has already submitted, as such, there is no chance of tampering with the evidence.

6. Learned APP appearing on behalf of the State, opposes the prayer for bail.

7. In view of the facts and circumstances as mentioned above as allegation is limited to consuming liquor coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 24.03.2023, accordingly, petitioner, above named, is directed to be released on bail in connection with Excise P.S. Case No.300C2 of 2023 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-Vth-cum-Exclusive Special Court 2, Excise Act, Lakhisarai/concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

S.Tripathi/-

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