

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46905 of 2023

Arising Out of PS. Case No.-81 Year-2023 Thana- INDUSTRIAL District- Bhagalpur

ROHIT KUMAR, aged about 25 years, Gender- Male, Son of Sudhir Mandal
Resident of village - Ismailpur, P.S. - Ismailpur, Distt. - Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Diwakar Upadhyaya, Advocate

For the Opposite Party/s : Ms.Meena Singh, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 31-07-2023 1. Heard learned counsel for the petitioner and the
learned APP for the State.

2. Petitioner seeks regular bail in connection with
Industrial Area P.S. Case No. 81 of 2023 dated 26.04.2023
registered for the offence(s) punishable under Section(s) 30(a),
32(ii) of the Bihar Prohibition and Excise Act.

3. The main submissions advanced by the learned
counsel for the petitioner are that the instant matter relates to
the recovery of total 184.425 litres of Indian made foreign
liquor from two vehicles and petitioner is concerned to the
recovery of 92.625 litres of foreign liquor made from a Tata
Magic vehicle, in fact at the time of recovery, the petitioner
was found as a driver in the said vehicle and he was discharging
his duty bonafidely and in the present matter he has been
languishing in jail since 27.04.2023 and against him, the



investigation has been completed and similarly situated co-accused Sushil Kumar has been granted bail by this Bench vide order passed in Cr. Misc. No.40234 of 2023. Further submission is that though against the petitioner there are criminal antecedents of two cases but he has got bail in both the said cases.

4. Learned APP appearing for the State has opposed the bail prayer.

5. Considering the above submissions and mainly the petitioner's young age and the completion of investigation against him and also the fact that the persons who have been made witnesses of the recovery of the alleged liquor are police officials, in my opinion, it is a fit case for bail to the petitioner. Accordingly, let the petitioner named-above be enlarged on bail in connection with Industrial Area P.S. Case No. 81 of 2023 on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned.

(Shailendra Singh, J)

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