

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46688 of 2023

Arising Out of PS. Case No.-220 Year-2023 Thana- BHAGWAN BAZAR District- Saran

SHAMBHU RAI, Son Of Bishwanath Rai, Resident Of Mohalla - Katra, P.S.
- Bhagwan Bazar, District - Saran At Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kumar, Adv.

For the Opposite Party/s : Mr. Md. Ataur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

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

2. Petitioner seeks regular bail in connection with
Bhagwan Bazar P.S. Case No. 220 of 2023 dated 27.05.2023
registered for the offence punishable under Section 30(a) of the
Bihar Prohibition and Excise Act.

3. The main submissions advanced by learned
counsel Mr. Vijay Kumar appearing for the petitioner are that
the instant matter relates to the recovery of 200 litres of
country-made liquor but the same is stated to have been
recovered from near the *palani* of co-accused Bali Ram Sah
with whom the petitioner has no relation. Further submissions
are that the petitioner has been languishing in jail since
28.05.2023 having fair and clean antecedent and against the



petitioner investigation has been completed.

4. Learned APP Mr. Md. Ataur Rahman appearing for the State has opposed the prayer for bail.

5. Considering the above submissions and mainly taking into account petitioner's fair and clean antecedent and also the fact that the recovery of the alleged wine was made before two police personnel who have been made the witnesses of the search and seizure of the alleged wine and against the petitioner investigation has been completed, in my opinion, it is a fit case for bail to the petitioner. Accordingly, let the petitioner named-above be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the concerned Court in connection with Bhagwan Bazar P.S. Case No. 220 of 2023.

(Shailendra Singh, J.)

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