

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47860 of 2023

Arising Out of PS. Case No.-820 Year-2023 Thana- PHULWARISHARIF District- Patna

Rohit Kumar Son Of Amarnath Choudhary Resident Of Choudhary Tola
Rajabazar, Ps- Airport Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Usha Kumari Singh

For the Opposite Party/s : Mr.Yogendra Kumar

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

ORAL ORDER

2 04-08-2023 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.

2. Heard learned counsel for the petitioner and learned A.P.P for the State.

3. The petitioner has preferred this application for grant of regular bail in connection with Special Case No. 4805/2023 arising out of Phulwarisharif, Janipur P.S. Case No. 820 of 2023 dated 06.06.2023 registered for the offence punishable u/s 30(a) of the Bihar Prohibition and Excise Act.

4. As per the prosecution case, total 165 litres of illicit country-made liquor was recovered from the car which was being driven by the petitioner.



5. 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 petitioner is the driver of the said vehicle. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 06.06.2023.

6. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

7. 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, Patna in connection with Special Case No. 4805/2023 arising out of Phulwarisharif, Janipur P.S. Case No. 820 of 2023.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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