

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59134 of 2023

Arising Out of PS. Case No.-79 Year-2023 Thana- KHUTAUNA District- Madhubani

Rudra Narayan Ram S/O Mohan Ram Village- Virpur, Ps- Lalmaniyan, Dist-
Madhubani (BIHAR)

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shivnandan Bharti, Adv.

For the Opposite Party/s : Mr. Dr. Mrityunjaya Kr. Gautam, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 08-11-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Khutauna P.S. Case No. 79 of 2023 arising out of G.R. no. 505
of 2023 lodged under Sections 272 and 273 of the I.P.C. read
with Section 30(a) of Bihar Prohibition and Excise Act, 2018.

3. As per the prosecution case, the total recovery of
162 liter wine has alleged to be made from a car which was
given by the petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He submits
that he has been apprehended from the vehicle and arrested on
spot. Counsel submits that he is the co-passenger whereas from
the F.I.R. itself, petitioner has disclosed that he and one Sagar



Pal was driving the car.

5. Counsel for the petitioner submits that petitioner is in custody is since 07.07.2023 having clean antecedent.

6. Learned counsel for the State opposes the prayer for bail and submits that petitioner is neither the stranger nor driver/co-driver, apprehended on spot and recovery of wine has been made from his possession.

7. In the present facts and circumstances of this case and the submissions made above, this Court is not inclined to grant bail to the petitioner. Therefore, the bail application of the petitioner is hereby rejected.

8. However, liberty is hereby granted to the petitioner that he may renew his prayer for bail after framing of charge.

(Dr. Anshuman, J.)

Prakashmani/-

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