

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 67356 of 2022**

Arising Out of PS. Case No.-65 Year-2022 Thana- CHANAN District- Lakhisarai

SHRAVAN KUMAR Son of Baleshwar Yadav Resident of Village- Rampur
English, P.S.- Suryagarha, District- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr Bhola Prasad, Advocate

For the Opposite Party/s : Mr Sanjay Kumar Pandey, APP

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 10-02-2023

Heard learned counsel for the petitioner and learned Additional Public Prosecutor (for brevity, **APP**) appearing for the State of Bihar.

The petitioner seeks bail in Chanan Police Station (for brevity, **PS**) Case No 65 of 2022 registered for the offence punishable under Section 30 (a) of Bihar Prohibition and Excise Act and Sections 414/34 of Indian Penal Code.

Tempo and two motorcycles were intercepted during routine checking. From the motorcycle, on which it is alleged that the petitioner was riding, there is recovery of 25 liters of country made liquor, based on which the petitioner is in custody since 29.04.2022. He has no antecedent. Co-accused Mithilesh Yadav, who was also arrested at the place, has been allowed bail by this Court by order dated 30.09.2022 passed in Cr Misc No 42970 of 2022. Submission is of false implication and that investigation is complete.

Learned APP has opposed the prayer for bail.

Having considered the rival submissions, manner of recovery, nature of allegation, period of custody and the fact that



investigation is complete, this Court, for the purposes of grant of bail, is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail is allowed. Let the petitioner, above named, be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge IV -cum- Special Excise Court No I, Lakhisarai in Chanan PS Case No 65 of 2022, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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