

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67377 of 2022

Arising Out of PS. Case No.-419 Year-2022 Thana- BARBIGHA District- Sheikhpura

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SANJAY KUMAR, Son of Rajendra Sao, R/O Village- Chauri, P.S.-
Mohanpur, District- Gaya

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dr. Anjani Pd. Singh, Advocate

For the Opposite Party/s : Mr.Ram Bilash Roy Raman, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 03-02-2023 Today being Friday, matters are being taken up through
virtual mode, as per current procedure for hearing.

Heard learned counsel for the petitioner and the learned
APP for the State.

The petitioner seeks bail in connection with Barbigha
(Mission O.P.) P.S. Case No. 419 of 2022 registered for the offence
punishable under Sections 30(a), 32(ii) and 41(i) of the Bihar
Prohibition and Excise Amendment Act.

There is alleged recovery of 43.5 litres illicit liquor from
the vehicle.

Learned counsel for the petitioner submits that the
petitioner was passenger in the vehicle and had taken lift. He has thus
become victim of the circumstance. The petitioner, having no
antecedents, is in custody since 28.09.2022. Moreover, investigation
is also complete. Recovery is denied and disputed and is stated to be
not in accordance with law.



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

Considering the rival submissions, clean antecedents of the petitioner, 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 of the petitioner is allowed.

Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned ADJ IInd, Sheikhpura, in connection with Barbiga (Mission O.P.) P. S. Case No. 419 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)

shashank/-

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