

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75086 of 2022

Arising Out of PS. Case No.-599 Year-2022 Thana- KOTWALI District- Patna

SATYAJEET GAURAV @ GHANTI Son of Late Dinesh Kumar R/v- Sakrail,
Chak P.S. Parsa, Bazar, District- patna, at present Address West Jai Prakash
Nagar, Purani Ara Mashin (Renter) of Late Ashok Ram, P.S.- Jakkanpur,
District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar, Advocate

For the Opposite Party/s : Mr. Shaheen Begum, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

4 07-04-2023 Heard learned counsel for the petitioner and the
learned APP for the State.

Petitioner seeks regular bail in connection with
Kotwali P.S. Case No.599 of 2022 dated 26.09.2022 registered
for the offence punishable under Section 30(a) of Bihar
Prohibition and Excise Amendment Act, 2022.

As per the prosecution, police personnel on secret
information apprehended this petitioner with other accused
persons and upon search recovered in total 732 litres of foreign
liquor from the alleged vehicles.

The main submissions advanced by the learned
counsel for the petitioner are that in the present matter 732.300
litres of foreign liquor was alleged to have been recovered from



four vehicles but the petitioner is not the owner of any of these vehicles and he was bonafidely present at the place of occurrence when he was apprehended and even he was not found as a driver of any of these vehicles, though against him there are criminal antecedents of two cases but he is on bail in one case and his bail prayer is pending in respect of the other case before this Court. Further submission is that the petitioner has been languishing in jail since 27.09.2022 in the present matter and three co-accused persons namely Prakash Kumar, Kundan Kumar and Sunil Kumar @ Sunish Kumar, who were also apprehended at the spot with this petitioner as per FIR, have been granted bail by a co-ordinate Bench of this Court vide orders passed in Cr. Misc. No.64760 of 2022 and 64551 of 2022 respectively and the allegation made against this petitioner is identical to the said co-accused persons and the petitioner's trial has started and charges have been framed upon him.

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

In view of the facts, as stated above, and mainly considering the facts that the petitioner's trial has started and similarly situated three co-accused persons mentioned above carrying similar nature of allegation are on bail and also



considering the petitioner’s custody period, in the opinion of this Court a lenient approach can be taken in respect of the petitioner’s prayer, let the petitioner 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 the concerned Court in connection with Kotwali P.S. Case No.599 of 2022.

(Shailendra Singh, J)

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