

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.678 of 2023

Arising Out of PS. Case No.-603 Year-2022 Thana- FATUA District- Patna

Chandan Kumar Son of Suresh Ray Resident of Village- Makasudpur, P.S.-
Fatuha, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jay Ram Prasad, Adv.

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

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 2 25-04-2023 1. Let the defects, if any, pointed out by the office
be removed within three weeks from the date of this order,
failing which the matter be listed again under the appropriate
heading for necessary action.
2. Heard learned counsel for the petitioner and the
learned APP for the State.
3. Petitioner seeks regular bail in connection with
Fatuha P.S. Case No. 603 of 2022 dated 22.08.2022 registered
for the offence punishable under Section 30(a) of Bihar
Prohibition and Excise Act.
4. The main submissions advanced by petitioner's
counsel are that as per the FIR, the recovery of the alleged
liquor was made from the house of co-accused Sanjay Ray,
who happens to be uncle of this petitioner and as per the



seizure list, the said liquor is stated to have been recovered from the house of this petitioner but in actual, the petitioner and co-accused Sanjay Ray live in the same house and the alleged liquor was not recovered from the conscious possession of the petitioner and the instant matter relates to the recovery of 100 litres of country-made liquor and against the petitioner, the investigation has been completed. Further submissions are that the petitioner is a young person and there is criminal antecedent of one case against the petitioner, which was lodged under Section 414 of I.P.C., in which he is on bail and he has been languishing in jail since 22.08.2022.

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

6. Considering the above submissions and mainly the petitioner's young age and his custody period and also the fact that as per the FIR, the alleged liquor was recovered from the house of co-accused Sanjay Ray and this petitioner and the said co-accused are stated to be living together in the same house as per submission made above, in my opinion it is a fit case for bail to the petitioner. Accordingly, let the petitioner named-above be enlarged 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 Court concerned in
connection with Fatuha P.S. Case No. 603 of 2022.

(Shailendra Singh, J)

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