

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73076 of 2022

Arising Out of PS. Case No.-181 Year-2022 Thana- BELA District- Sitamarhi

KESHARI KUMAR S/O Ram Pratap Yadav R/O Nimahi, P.S- Bajpatti,
District- Sitamarhi, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sumit Shekhar Pandey, Adv.

For the Opposite Party/s : Mr. Lakshmi Kant Sharma, APP.

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 27-02-2023 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.

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

Petitioner seeks regular bail in connection with Bela P.S. Case No. 181 of 2022 registered for the offence punishable under Section 30(a) of Bihar Prohibition and Excise Act.

As per the prosecution, the informant along with some other police personnel acting upon secret information, apprehended this petitioner with the alleged car during vehicle checking and 388.5 litres of illicit liquor was recovered from the said car. Further it is alleged that one person managed to flee



away.

The main submissions advanced by petitioner's counsel are that the petitioner was found as driver of the alleged car when the alleged wine was recovered from the said vehicle but there is nothing on record to show that the petitioner was involved in the commission of the alleged offence and he is not the owner of the alleged vehicle and he has been languishing in jail since 27.07.2022 and having fair and clean antecedent.

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

Considering the aforesaid facts and mainly the petitioner's fair and clean antecedent and his custody period and also the fact that he is stated to be the driver of the alleged vehicle from which the recovery of alleged wine was made, 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 Bela P.S. Case No. 181 of 2022.

(Shailendra Singh, J)

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