

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6756 of 2023

Arising Out of PS. Case No.-452 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Lakhisarai

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Jitan Saw S/o Rameshwar Saw R/o Village- Sawandhih, P.S. and Distt-
Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance:

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

For the Opposite Party/s : Mr. Ashok Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 15-02-2023 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 Lakhisarai Excise P.S. Case No. 452C2 of 2022 registered for the offence punishable under Section 30(a) of Bihar Excise and Prohibition Act.

Allegedly, a vehicle checking squad has recovered one plastic bottle each from two persons. It is further alleged that one liter of illegal mahua liquor has been recovered from one of the plastic bottle.

The main submissions advanced by learned counsel for the petitioner are that as per the allegation of the prosecution only one liter of Mahua liquor is stated to have been recovered from the possession of the petitioner for which the petitioner has been punished sufficiently as he has been languishing in jail since 25.10.2022 and he has criminal antecedent of one case.

Learned APP has opposed the bail prayer.

Having considered the above submissions and mainly the nature of allegation and custody period of the petitioner this Court is inclined to accept the petitioner’s prayer for bail. 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 to the satisfaction of learned Additional Session Judge-V-Cum-Exclusive Special Court-2, Excise Act, Lakhisarai in Connection with Excise P.S. Case No. 452C2 of 2022.

(Shailendra Singh, J)

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