

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1896 of 2023

Arising Out of PS. Case No.-214 Year-2022 Thana- SASARAM RAIL P.S. District- Gaya

Mohan Chandrawanshi @ Mohan Ram S/O Late Gyori Shankar Sah Resident
of village- New Singauli Boring, Ward No- 03, P.S.- Dalmiya Nagar, District-
Rohtas (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance:

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

For the Opposite Party/s : Ms. Sangeeta Sharma, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 2 24-04-2023 1. Let the defects, if any, pointed out by the office be removed within four 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 Rail Sasaram P.S. Case No. 214 of 2022 dated 30.10.2022 registered for the offence punishable under Section 30(a) of Bihar Prohibition and Excise Act.
4. The main submissions advanced by learned counsel for petitioner are that the petitioner has falsely been implicated in the present case mainly on the basis of suspicion, in actual the petitioner was returning home by a local train when the alleged recovery was made. Further submissions are that nothing has been

recovered from the possession of the petitioner and allegedly seized wine was recovered from a wagon of goods train no. 32785 and one similarly situated co-accused person namely, Banty Mian @ Sabir Ansari has been granted bail by a co-ordinate bench of this Court vide order passed in Cr. Misc. No. 2364 of 2023 and the case of the petitioner stands on similar footing with the said co-accused. Further submission is that the petitioner has fair and clean antecedent and he has been languishing in jail since 31.10.2022.

5. Learned APP for the State has opposed the bail prayer of the petitioner.

6. Considering the facts and circumstances of this case and mainly the fair and clean antecedent of the petitioner and also the fact that one similarly situated co-accused person has been granted bail by a co-ordinate bench of this Court as mentioned 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 concerned Court in connection with Rail Sasaram P.S. Case No. 214 of 2022.

(Shailendra Singh, J)

Shahnawaz/-

U		T	
---	--	---	--