

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9041 of 2023

Arising Out of PS. Case No.-173 Year-2022 Thana- PATORI District- Samastipur

Rohit Kumar S/O Dilip Ray R/O Vill. - Dumri Diyara More, P.S.- Patory,
Distt- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Anand, Advocate

For the Opposite Party/s : Mr.Pushpa Sinha.1, A.P.P

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 29-04-2023 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned A.P.P for the State.

The petitioner has preferred this application for grant of regular bail in connection with Patori (Mohanpur O.P) P.S. Case No. 173 of 2022 dated 09.05.2022 registered for the offences punishable under Sections 272 and 273 of the Indian Penal Code and u/s 30(a) of the Bihar Prohibition and Excise Act.

As per the prosecution case, 727.70 litres of illicit foreign liquor was recovered from Bolero vehicle.

Learned counsel for the petitioner has submitted that



the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. The other co-accused have already been granted bail by the Co-ordinate Bench vide order dated 30.09.2022 passed in Cr. Misc. No. 40837 of 2022. The petitioner is accused in three other criminal cases as stated in para 3 of the bail petition. The petitioner is in custody since 16.11.2022.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Samastipur in connection with Patori (Mohanpur O.P) P.S. Case No. 173 of 2022.

The application stands allowed.

(Chandra Prakash Singh, J)

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