

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1628 of 2023

Arising Out of PS. Case No.-308 Year-2022 Thana- KESARIA District- East Champaran

Abhijeet Kumar, Son of Shailesh Rai @ Shailesh Yadav, R/O Village- Khap
Gopal Pur, Khijir Pura, Tola- Kushar, Duma P.S.- Kesariya, District- East
Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Shankar Shrivastava, Advocate

For the Opposite Party/s : Mr. Md. Iftekhar Mahmood, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 2 24-04-2023 1. Heard learned counsel for the petitioner and the
learned APP for the State.
2. Petitioner seeks regular bail in connection with
Kesariya P.S. Case No. 308 of 2022 dated 27.06.2022
registered for the offences punishable under Sections 30(a), 32,
41(1) of Bihar Prohibition and Excise Act.
3. As per allegation, it is alleged that 15 litres country
made liquor, 400 litres half prepared mixture of oil nut flower
and molasses along with utensils and gas-stove have been
recovered by the police from the alleged place of occurrence
and the petitioner is said to have fled away from the place of
occurrence along with other co-accused persons.
4. The main submissions advanced by the learned



counsel for the petitioner are that the recovery was made in the bush near the chimni Bhatta which is a lonely place and petitioner was not arrested at the spot rather his name was taken by the local chaukidar due to dirty village politics, nothing has been recovered from the conscious possession of the petitioner and petitioner was remanded in this case from Kesariya P.S. Case No. 400 of 2022 on 30.09.2022 which is his only antecedent and he is on provisional bail in the said case and he has been languishing in jail since 30.09.2022.

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

6. Considering the above submissions, in the opinion of this court, the petitioner deserves to a lenient approach of this court. Accordingly, let the petitioner be released on bail in connection with Kesariya P.S. Case No. 308 of 2022 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.

(Shailendra Singh, J)

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