

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1646 of 2023

Arising Out of PS. Case No.-659 Year-2019 Thana- SARAIYA District- Muzaffarpur

Prahlad Singh Son Of Balmiki Singh R/O Village- Pokhraiya, Gidha, P.S.-
Saraiya, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Santosh Kumar, Advocate
		Mr. Ajit Kumar, Advocate
For the Opposite Party/s	:	Ms. Pushpa Sinha, 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
Saraiya (Jaitpur O.P.) P.S. Case No. 659 of 2019 dated
01.10.2019 registered for the offences punishable under Section
414 of the Indian Penal Code and Section 30(a) of the Bihar
Prohibition and Excise Act.

3. The main submissions advanced by the learned
counsel for the petitioner are that though against the petitioner
there are criminal antecedents of 16 cases but out of them he has
got bail in 11 cases and in all the said cases the petitioner was
not apprehended with any liquor either he was remanded in
these cases or his name surfaced in the statement of co-accused
and in the present matter the petitioner is not named in the FIR



and he has been implicated on the basis of confessional statement of co-accused and only 360 ml. foreign liquor is stated to have been recovered from a pick-up van which was found in abandoned condition at the alleged place of recovery and the petitioner has been languishing in jail in the present matter since 12.10.2022.

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

5. 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 after framing of charge, if the same has not been framed**, in connection with Saraiya (Jaitpur O.P.) P.S. Case No. 659 of 2019 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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