

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4138 of 2023

Arising Out of PS. Case No.-117 Year-2022 Thana- BISHUNPUR District- Darbhanga

Arun Ray Son of Late Jageshwar Ray R/v- Daghraul, P.S.- Bishanpur,
District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance:

For the Petitioner/s : Mr. Jitendra Narain Sinha, Advocate

For the Opposite Party/s : Mr. Khurshid Anwar, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 2 27-04-2023 1. Heard learned counsel for the petitioner and the learned APP for the State.
2. Petitioner seeks regular bail in connection with Bishanpur P.S. Case No. 117 of 2022 dated 15.09.2022 registered for the offence punishable under Section 30(a) of Bihar Prohibition and Excise (Amendment) Act, 2022.
3. The main submissions advanced by learned counsel for petitioner are that the recovery of 280.47 litres of alleged english wine is stated to have been made from a bush and one co-accused namely, Akhilesh Ray, who is carrying similar nature of allegation, has been granted anticipatory bail by the trial Court itself, though against the petitioner there is one criminal antecedent but the same was lodged under the offences of IPC in which the petitioner is on bail and the recovery of the alleged wine was made before two official persons and

accordingly there is no independent person to prove the alleged recovery of wine.

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

5. Considering the above submissions and mainly the facts that the investigation has been completed against the petitioner and the main prosecution witnesses who are to be examined in the trial of the petitioner are official persons, 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 Bishanpur P.S. Case No. 117 of 2022.

(Shailendra Singh, J)

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