

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1256 of 2023

Arising Out of PS. Case No.-399 Year-2022 Thana- SARAI District- Vaishali

Indrajeet Kumar, Son of Shiv Sharan Mahto, R/V- Ramdauli, P.S- Bidupur,
Dist- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Rupa Kumari, Advocate
For the Opposite Party/s : Ms. Asha Kumari, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 20-04-2023 Heard learned counsel for the petitioner and the
learned APP for the State.

2. Petitioner seeks regular bail in connection with
Sarai P.S. Case No. 399 of 2022 dated 07.12.2022 registered for
the offence punishable under Section 30(a) of the Bihar
Prohibition and Excise Act.

3. The main submissions advanced by the learned
counsel for the petitioner are that in the alleged tempo from
which the recovery of the alleged wine was made, the petitioner
was simply traveling as a passenger and he was neither the
owner nor driver of the alleged tempo when he was
apprehended, the petitioner had no connection with the alleged
seized wine and he has been made accused mainly on the basis
of suspicion and and he has fair and clean antecedent and has



been languishing in jail since 08.12.2022.

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

5. Considering the above submissions and mainly petitioner's fair and clean antecedent and his plea that he was traveling as a passenger in the alleged tempo from which the alleged wine was recovered and the seizure memo goes to show that the recovery of the alleged wine was made before the officials persons, who have been made witnesses of the seizure, 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 Sarai P.S. Case No. 399 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)

Rajiv/-

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

