

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52827 of 2016

Arising Out of PS.Case No. -376 Year- 2016 Thana -DIHRINAGAR District- SASARAM
(ROHTAS)

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Rahul Kumar Singh, Son of late Satya Narayan Singh, Resident of Village
Garura, P.S.- Agrer, District- Rohtas, Sasaram.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sada Nand Roy, Advocate

For the Opposite Party/s : Mr. Uma Shankar Prasad Singh, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 19-12-2016 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

Petitioner is languishing in judicial custody since
25.07.2016, in connection with Dihri Town P.S. Case No. 376/16
registered for the offences punishable under Sections 47(A)/50 of
the Bihar Excise (Amendment) Act.

The prosecution case, as lodged by the police, that on
secret information police reached the place of occurrence and
searched the Bolero vehicle, from where 2955 pouches of country-
made liquor of Jharkhand excise each containing 200 ml. has been
recovered. In the inquiry it came to light that petitioner along with
co-accused Vivek Kumar Singh riding a motorcycle were keeping
vigil for the alleged illicit liquor.



It has been submitted by the learned counsel for the petitioner that he is innocent, has no criminal antecedent and has falsely been implicated in the aforesaid case on the basis of his own confessional statement before the police, which has no evidentiary value in the eye of law. He submits that nothing incriminating has been recovered from his possession and he has no concern with the alleged Bolero vehicle. It is further submitted that charge-sheet has already been submitted, hence, there is no chance of tampering with the prosecution evidence.

However, learned A.P.P. for the State opposes the prayer for bail.

Considering the facts and circumstances and submission of the parties, since charge-sheet has already been submitted, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Dehri, Rohtas, in connection with Dehri Town P.S. Case No. 376/16.

(Nilu Agrawal, J.)

Rajesh/-

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