

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10706 of 2017

Arising Out of PS.Case No. -72 Year- 2016 Thana -ROUH District- NAWADA

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Rakesh Kumar, Son of Suneshwar Rajwanshi, Resident of Village-
Panditpur, P.S. Rajgir, District- Nalanda.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Man Mohan Kumar, Advocate

For the Opposite Party/s : Mr. Bal Mukund Prasad Sinha, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 28-03-2017 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

Petitioner is languishing in judicial custody since
27.10.2016 in connection with Roh P.S. Case No. 72/16 registered
for the offence punishable under Section 30(a) of the Bihar Liquor
Prohibition and Excise Act, 2016.

The prosecution case is that the police on secret
information apprehended the petitioner alongwith another co-
accused, who were travelling in two motorcycles. From the
motorcycle of the petitioner 64 litres of country-made liquor was
recovered.

It has been submitted by the learned counsel for the
petitioner that he is innocent, bears no criminal antecedent and has



falsely been implicated in the aforesaid case. It is further submitted that the charge-sheet has already been submitted, hence, there is no chance of tampering with the prosecution evidence and that another co-accused, who is alleged to have been carrying about the same quantity of country-made liquor and was apprehended alongwith the petitioner in another motorcycle, has since been granted the privilege of bail by a Coordinate Bench of this Court in Cr. Misc. No. 9244 of 2017 on 15.03.2017.

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

Considering the facts and circumstances and the materials on record, 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 Chief Judicial Magistrate, Nawada in connection with Roh P.S. Case No. 72/16.

(Nilu Agrawal, J)

Rajesh/-

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