

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38595 of 2017

Arising Out of PS.Case No. -174 Year- 2017 Thana -MAHUA District- VAISHALI(HAJIPUR)

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Rakesh Singh @ Lalu Singh Son of Ram Iswar Singh, Resident of Village-
Mukundpur, Police Station- Mahua, District- Vaishali.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar, Advocate

For the Opposite Party/s : Mr. Surendra Kumar, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 19-08-2017 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

Petitioner is languishing in judicial custody since 25.07.2017 in connection with Mahua P.S. Case No. 174 of 2017 registered for the offence punishable under Section 414 of the Indian Penal Code and Sections 30(A), 32(ii), 38(ii) and 41(i) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, as lodged by the police personnel, is that during course of checking of vehicles, they intercepted a Xylo car and while two persons managed to escape, the driver was apprehended, who disclosed the



name of two persons, who had fled away and stated that on the instruction of the petitioner, illegal foreign liquor was being carried. From the car, 70.560 litres of foreign liquor was recovered.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal antecedent and has been falsely implicated on the basis of confessional statement of the driver of the Xylo car before the police. He submits that he has no concern with the illegal liquor and was not even present in the Xylo car when it was intercepted by the police. He submits that it is only on the basis of personal enmity, that the petitioner has been named by the co-accused.

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 Additional



District and Sessions Judge-II, Vaishali at Hajipur in
connection with Mahua P.S. Case No. 174 of 2017.

(Nilu Agrawal, J.)

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