

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3050 of 2018

Arising Out of PS.Case No. -123 Year- 2017 Thana -RASULPUR District- SARAN

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1. Rakesh Kumar Singh @ Rakesh Singh, S/o Parashuram Singh,
2. Md. Jalil Mian @ Md. Jalil, S/o Md. Salim Mian,
Both are the residents of Village-Tarwara Chaudhary Patti, P.S. G.B. Nagar
Tarwara Distt. Siwan.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arbind Kumar Singh

For the Opposite Party/s : Mr. Ataur Rahman

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

2 30-01-2018 Heard learned counsels for the petitioners and the State.

The petitioners, already in custody, seek bail in connection with Rasulpur P.S.Case No. 123 of 2017 registered under Sections 30, 38 and 41 of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioners submits that petitioner no. 1 had taken the lift in the vehicle and petitioner no. 2 is driver so , petitioner no. 1 had no knowledge about the liquor kept in the dickey of the vehicle and petitioners are in custody since 19.11.2017.

Learned counsel for the State submits that petitioner no. 2 is the driver and recovery is made from his conscious possession and he has also one criminal antecedent under the Excise Act.

Having considered the aforesaid facts and circumstances,



the petitioner no. 1 namely, Rakesh Kumar Singh @ Rakesh Singh is directed to be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned 6th ADJ Saran at Chapra inn connection with Rasulpur P.S.Case No. 123 of 2017.

Whereas petitioner no. 2 Md. Jalil Mian @ Md. Jalil is concerned, from whose possession recovery is made and has antecedent of similar nature, prayer for bail is rejected. However, trial court is directed to expedite the trial and conclude the same preferably within three month. If the trial is not concluded within the said period, petitioner no. 2 may renew his prayer for bail.

(Arun Kumar, J)

Sujit/-

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