

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14442 of 2018

Arising Out of PS.Case No. -614 Year- 2017 Thana -MASAURHI District- PATNA

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1. Rakesh Kumar S/o Ramesh Prasad, R/o Village- Daudpur, P.S.- Masaurhi, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Deovind Kumar Singh

For the Opposite Party/s : Mr. Sri Ganesh Prasad Singh

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 13-03-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since 09.12.2017 in connection with Masaurhi P.S. Case No. 614 of 2017, Special Case No. 9003 of 2017 for offences punishable under Section 30 (A) of the Bihar Excise Amendment Act, 2016.

The prosecution case, as lodged by the police personnel, is that on secret information the motorcycle of the petitioner was intercepted and two persons including the petitioner were apprehended. The petitioner was found driving the motorcycle and other co-accused Vinay Prasad sitting at the back was carrying a bag containing 46 liters of foreign liquor. Accordingly, a seizure list was prepared.



It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal antecedent and has been falsely implicated in the aforesaid case. He submits that another co-accused has since been granted the privilege of bail by a coordinate Bench of this Court in Cr. Misc. No. 11803 of 2018 on 28.02.2018. He submits that charge-sheet has already been submitted and there is no allegation of tampering of the prosecution witnesses by the petitioner.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Patna in connection with Masaurhi P.S. Case No. 614 of 2017, Special Case No. 9003 of 2017.

(Nilu Agrawal, J)

Devendra/-

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