

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19180 of 2020

Arising Out of PS. Case No.-133 Year-2019 Thana- JADOPUR District- Gopalganj

Rakesh Kumar Singh Son of Birendra Singh @ Birendra Prasad R/o- Village-
Hira Pakar, P.S.- Yadopur, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sushil Kumar

For the Opposite Party/s : Mr.Anil Prasad Singh

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 08-06-2020 Heard learned counsel for the petitioner and learned
APP for the State, through video conferencing.

The petitioner has filed the instant application for grant of regular bail in connection with Jadopur P.S. Case No. 133 of 2019 registered under section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per allegation in the FIR, on secret information having been received, a motorcycle was stopped for checking by the police personnel. The two accused persons abandoned their motorcycle and made an attempt to escape. One of the accused was caught at the place of occurrence and disclosed his name as Akshay Kumar and also disclosed the name of the person who had escaped as Rakesh Kumar Singh, the petitioner herein. A total of 79.2 litres of IMFL was recovered from the motorcycle



of the petitioner.

It is submitted by learned counsel for the petitioner that neither the petitioner was caught at the spot nor any incriminating article has been recovered from his possession. His name transpired on the confessional statement of co-accused before the police. He is in custody since 3.1.2020.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration that the petitioner was not arrested at spot and is in custody since 3.1.2020, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Jadopur P.S. Case No. 133 of 2019 on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned Additional District Judge 2nd, Gopalganj.

(Partha Sarthy, J)

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