

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23750 of 2020

Arising Out of PS. Case No.-9 Year-2020 Thana- MITHANPURA District- Muzaffarpur

RAKESH KUMAR SINGH Son of Nand Kishore Singh Resident of Village -
Kanhauli Tola Saraswati Colony, P.S. - Mithanpura, District - Muzaffarpur,
Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prabhat Kumar Singh, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 15-09-2020 Heard Mr. Prabhat Kumar Singh, learned counsel for
the petitioner and Mr. Shailendra Kumar No. 1, learned
Additional Public Prosecutor appearing for the State through
video conferencing.

Petitioner seeks regular bail in connection with
Mithanpura P.S. Case No. 9 of 2020 registered for the offence
punishable under Section 414 of the Indian Penal Code, 1860
and Section 30(a) / 32 (ii) / 41 (i) of the Bihar Prohibition and
Excise (Amendment) Act, 2018.

The allegation against the petitioner as per the First
Information Report is that a total quantity of 192.600 liters of
illicit liquor was recovered from a pick up van and name of the
petitioner transpired on the basis of confessional statement of



co-accused Monu Kumar.

Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case and no illicit liquor has been recovered from his conscious possession or the vehicle belonging to the petitioner. Learned counsel referring to paragraph no. 7 of the application submits that the pick up van in question is not owned by the petitioner. Learned counsel referring to Annexure- 2 to this petition submits that Monu Kumar on whose confessional statement name of the petitioner has been dragged in this case has been granted bail by this court in Cr. Misc. No. 11709 of 2020 .

Having regard to the submissions made by the parties and taking into consideration the material available on record and the fact that co-accused namely, Monu Kumar on whose confessional statement name of the petitioner transpired in this case has been granted bail by this court, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge Excise Muzaffarpur, Bihar / court concerned in connection with Mithanpura P.S.



Case No. 9 of 2020.

It is made clear that at the time of furnishing bail bond
all the parties shall follow the guidelines regarding lockdown
and social distancing.

(Anil Kumar Sinha, J)

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