

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30686 of 2021

Arising Out of PS. Case No.-27 Year-2021 Thana- RAJPUR District- Buxar

RAJKUMAR SINGH @ MASH S/o Ramashankar Singh Kushwaha @ Rama Shankar Singh R/o Village- Jagdishpur, P.S.- Buxar (Muffasil), District- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey, Advocate

For the Opposite Party/s : Mr.A.G

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 09-12-2021 Heard the learned counsel appearing for the petitioner and learned A.P.P. appearing for the State.

The petitioner seeks regular bail in connection with Rajpur P.S. Case No. 27 of 2021 for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

The allegation is regarding recovery of 1347.840 litres of illicit liquor from a pick up van.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case and he is languishing in custody since 24.02.2021. The learned counsel for the petitioner has further submitted



that the petitioner has surrendered on 24.02.2021 and is in custody since then. It is next submitted that the name of the petitioner has transpired in the present case upon confessional statement made by the co-accused Kishan Kumar Gupta who has already been granted bail by a coordinate Bench of this Court vide order dated 12.08.2021 passed in Criminal Misc. No. 30141 of 2021. It is also submitted that one other co-accused has already been granted bail by a coordinate Bench of this Court vide order dated 05.10.2021 passed in Criminal Misc. No. 39822 of 2021. The learned counsel for the petitioner has lastly referred to paragraph no. 10 to submit that the vehicle in question does not belong to the petitioner.

Per contra, the learned APP appearing for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also considering the parity of the case of the petitioner with that of the co-accused persons who have already been granted bail by coordinate Benches of this Court, I deem it fit and proper to direct for release of the petitioner



herein on regular bail.

Accordingly, the petitioner, above named, is directed to be released on bail upon him furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-2nd-cum-Special Judge, Excise Act, Buxar in connection with Rajpur P.S. Case No. 27 of 2021.

(Mohit Kumar Shah, J)

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