

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41062 of 2021

Arising Out of PS. Case No.-184 Year-2020 Thana- KATEYA District- Gopalganj

RAKESH KUMAR SINGH @ RAKESH PRASAD Son of Late Ramesh Prasad Resident of Village - Chandramanhata, P.S.- Barahariya, Distt.- Siwan.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Anirudh Kr. Verma, Adv.
	:	Mr. Vyas Kumar Mishra, Adv.
For the Opposite Party/s	:	Ms. Veena Kumari Jaiswal, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 14-12-2021 Heard the learned counsel for the petitioner and
Ms. Veena Kumari Jaiswal, the learned APP for the State.

The petitioner seeks regular bail in connection with Kateya PS case no. 184 of 2020 instituted for the offences punishable under Section 30(a) of Bihar Prohibition and Excise Act, 2018.

The allegation is regarding recovery of 242.100 liters of illicit liquor from a Hyundai Santro Car.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case and is languishing in custody since 07.06.2021. The learned counsel for the petitioner has further submitted, by referring to paragraph no. 9 of the present



petition, that the petitioner is neither the owner nor the driver of the car in question, from which, illicit liquor has been recovered.

Per contra, the learned A.P.P. 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 parties and taking into account the materials available on record as also considering the fact that the petitioner is not the owner of the car in question and is languishing in custody since 07.06.2021, I deem it fit and proper to admit the petitioner to the privilege of bail. Accordingly, the abovenamed petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned court of Additional District & Sessions Judge II-cum-Special Judge (Excise), Gopalganj in connection with Kateya PS case no. 184 of 2020.

(Mohit Kumar Shah, J)

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