

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42677 of 2021

Arising Out of PS. Case No.-40 Year-2021 Thana- BARUN District- Aurangabad

RAJAN KUMAR @ RAJAN SINGH S/O AKSHAY SINGH R/O VILLAGE-
BISHUNPUR JAPLA, P.S-HUSSAINABAD, DISTRICT-PALAMU
(JHARKHAND).

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Mukul Kumari, Advocate
For the Opposite Party/s : Mr.Akbar Ali, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 15-12-2021 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks regular bail in connection with
G.R. No. 241 of 2021 arising out of Barun P.S. Case No. 40 of
2021 for the offence registered under Section 30(a) of the Bihar
Prohibition of Excise Act, 2016.

The allegation is regarding recovery of 870 litres of
illicit liquor from a motorcycle and one Tata Sumo vehicle.

The learned counsel for the petitioner has submitted
that the petitioner is innocent, has been falsely implicated in the
present case, is having a clean antecedent and he is languishing
in custody since 24.02.2021. The learned counsel for the
petitioner has submitted by referring to paragraph no. 10 of the
present petition that the petitioner is neither the owner nor the
driver of the alleged vehicle and was merely sitting in the said



vehicle inasmuch as he had taken a lift from the driver of the said vehicle.

Per contra, the learned counsel 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 fact that the petitioner is neither the owner nor the driver of the vehicle in question and is stated to be languishing in custody since 24.02.2021, 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 on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional & Session Judge-(ii)-cum-Special Judge (Excise), Aurangabad in connection with G.R. No. 241 of 2021 arising out of Barun P.S. Case No. 40 of 2021.

(Mohit Kumar Shah, J)

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