

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58412 of 2021

Arising Out of PS. Case No.-376 Year-2019 Thana- PUPRI District- Sitamarhi

RAHUL JAISHWAL S/o SURESH CHAUDHARY R/o VILLAGE-
NANPUR, P.S-NANPUR, DISTRICT-SITAMARHI.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ratneshwar Prasad, Advocate

For the Opposite Party/s : Mr.Parmanand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 16-12-2021 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks regular bail in connection with
Pupri P.S. Case No. 376 of 2019 for the offence registered under
Sections 272, 273/34 of the Indian Penal Code and Section
30(a) of the Bihar Prohibition of Excise Act.

The allegation is regarding recovery of 122 litres of
illicit liquor from an Elantra car.

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 18.08.2021. The learned counsel for the
petitioner has further submitted by referring to paragraph no. 12
of the present petition that the petitioner is not the owner of the



car in question.

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 not the owner of the car in question and moreover he is stated to be languishing in custody since sometime, 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 District and Sessions Judge-II-cum-Special Judge, Excise, Sitamarhi in connection with Pupri P.S. Case No. 376 of 2019.

(Mohit Kumar Shah, J)

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