

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68593 of 2021

Arising Out of PS. Case No.-267 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Rohtas

RAKESH KUMAR CHAUDHARY @ RAKESH KUMAR S/o Mallu
Chaudhary @ Ram Niwas Chaudhary R/o village- Khanda, P.S.- Sasaram
(Muffasil), District- Rohtas at Sasaram

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Babu Nandan Prasad, Advocate

For the Opposite Party/s : Mr.Sanjay Kumar Sharma, 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
Excise Case No. 267 of 2020 for the offence registered under
Section 30(a) of the Bihar Prohibition and Excise Amendment Act,
2018.

The allegation is regarding recovery of huge quantity of
illicit liquor from a truck and the name of the petitioner has
transpired in the present case on the basis of the confessional
statement made by the co-accused person who is stated to be the
driver of the truck in question.

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 31.08.2021.
The learned counsel for the petitioner has further submitted that



neither any illicit liquor has been seized from the conscious possession of the petitioner nor the truck in question belongs to the petitioner, as has been stated in paragraph-8 of the present petition.

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 neither any illicit liquor has been recovered from the conscious possession of the petitioner nor the petitioner is the owner of the truck in question, 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 Sessions Judge-2nd-cum-Special Judge, Excise, Rohtas at Sasaram in connection with Excise Case No. 267 of 2020.

(Mohit Kumar Shah, J)

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