

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2243 of 2022

Arising Out of PS. Case No.-189 Year-2019 Thana- BUXAR MUFFSIL District- Buxar

RAJESH KUMAR @ RAJESH KUSHWAHA Son of Late Ram Lakhan
Singh @ Ram Lakhan Kushwaha Resident of Village- Chakarahasi, Police
Station- Muffasil in the district of Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar, Advocate
For the Opposite Party/s : Mr. Bishweshwar Ram, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 09-06-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has preferred this application for grant
of regular bail in a case registered under section 30(a) of the
Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, information was received
about the petitioner transporting illicit liquor in a stolen pick-up
van. It is further stated that on the pick-up van being stopped for
search the accused persons managed to escape.

It is submitted by learned counsel for the petitioner
that neither the petitioner was arrested at the spot nor any
incriminating article has been recovered from his possession.
The allegation against the petitioner are false and concocted.



Further, referring to the order of the learned Court below as also paragraph no. 3 of the instant petition it is submitted that the petitioner has no criminal antecedent. He is in custody since 29.7.2021.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the petitioner not having been arrested at the spot, his having remained in custody for 10 months, not having any criminal antecedent and investigation in the case having concluded, the Court directs the petitioner to be enlarged on bail in connection with Buxar Mufassil P.S. Case no. 189 of 2019 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge II-cum-Special Judge, Excise, Buxar.

(Partha Sarthy, J)

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