

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39862 of 2021

Arising Out of PS. Case No.-162 Year-2020 Thana- DIDARGANJ District- Patna

RAHUL KUMAR S/o Nawal Ray Resident of Village- Bichla Tola, P.S.-
Didarganj, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jay Ram Prasad, Adv.

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

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 20-01-2022 Heard learned counsel for the parties through video conferencing.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 30(a) and 36 of the Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, 369 litres of IMFL is said to have been recovered from a goods vehicle. The petitioner is said to be riding a motorcycle accompanying the vehicle and acting as a liner. He was identified by a spy.

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. His name transpired in the statement of a spy. He is in custody since 30.1.2021 and has no criminal antecedent. Chargesheet



has been submitted in the case.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case, the petitioner having remained in custody for over 11 months and having no criminal antecedent, the Court directs the petitioner to be enlarged on bail in connection with Special Case no.4524 of 2020 (arising out of Didarganj P.S. Case no.162 of 2020) 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 Special Judge, Excise, Patna.

(Partha Sarthy, J)

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