

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.42070 of 2021**

Arising Out of PS. Case No.-11 Year-2021 Thana- DANAPUR RAIL P.S. District- Patna

RAKESH KUMAR @ VIKASH KUMAR Son of Vindeshwari Prasad  
Resident of Village - Dhandiha, P.S. - Koilwar, District - Bhojpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Binay Kumar Singh  
For the Opposite Party/s : Mr.Brajendra Nath Pandey

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA**  
**ORAL ORDER**

2      31-01-2022                      Heard learned Counsel for the petitioner and learned  
Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with  
Special Case No. 790 of 2021, arising out of Rail Danapur  
Police Station Case No. 11 of 2021, registered for the offences  
punishable under Section 30 (a) of the Bihar Prohibition and  
Excise Act, 2016.

The prosecution case, as per the First Information  
Report, is that a total quantity of 22.5 litres of illicit liquor has  
allegedly been recovered from the possession of the petitioner.

Learned Counsel for the petitioner submits that the  
petitioner has falsely been implicated in this case and he has not  
committed any offence in the manner alleged. He further  
submits that the petitioner is in custody since 01.02.2021 and



charge sheet has been submitted against the petitioner and as such, there is no likelihood that the petitioner will abscond and/or tamper with the evidence.

Regards being had to the submissions advanced on behalf of the parties concerned and taking into consideration the materials available on record and the fact that the petitioner is in custody since 01.02.2021, charge sheet has already been submitted and there is no likelihood of the trial being concluded in near future due to pandemic, I am inclined to grant regular bail to the petitioner.

This application is, accordingly, allowed.

Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Patna, in connection with Special Case No. 790 of 2021, arising out of Rail Danapur Police Station Case No. 11 of 2021.

**(Anil Kumar Sinha, J.)**

Prabhakar Anand/-

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