

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62054 of 2021

Arising Out of PS. Case No.-170 Year-2020 Thana- VAISHALI District- Vaishali

RAKESH KUMAR @ RAKESH BAITHA S/o Fatinga Baitha @ Akhilesh Chaudhary R/o Vill- Karneji (Bideshar Patti), Ward No. 4, P.S. - Vaishali (Belsar O.P.), Dist. - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan No.II, Adv.

For the Opposite Party/s : Mr. Nityanand, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 08-04-2022 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under section 414 of the Indian Penal Code and section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, 1278.79 litres of IMFL was recovered from the pickup van. It is further stated that on enquiries from the covillagers it transpired that the five named accused persons including the petitioner herein were involved in the trade of liquor.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. Neither the petitioner has been arrested at the spot nor any



incriminating article has been recovered from his possession. The name of the petitioner transpired in the statement of covillagers. He is in custody since 13.6.2021 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 together with the petitioner not having any criminal antecedent and having remained in custody for over 9 months, the Court directs the petitioner to be enlarged on bail in connection with Vaishali P.S. Case no. 170 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 Sessions Judge-II-cum-Excise Court, Vaishali at Hajipur.

(Partha Sarthy, J)

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