

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3082 of 2023

Arising Out of PS. Case No.-197 Year-2022 Thana- SARAI District- Vaishali

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BABLU KUMAR @ BALUA @ BABLU RAI Son of Rajendra Rai @ Rajan
Rai R/O Village - Majhauri Mahammadpur Buzurg, P.S.- Sarai, District -
Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Kumar Samarjeet Singh

For the Opposite Party/s : Mr.Rabindra Kumar

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 04-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 420, 467, 468, 471, 120B of the Indian Penal Code and Sections 30(a), 31, 32, 36, 41(1) of the Bihar Prohibition and Excise Act.

The prosecution story, in brief, is that the police party reached near Gammon India Plant after getting secret information then the accused persons tried to flee away but two of them were arrested on spot who disclosed the name of the petitioner. Upon search, huge quantity of 4032.36 liters foreign liquor was recovered from a container bearing Registration No. UP13T-5160.



Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this present case. Petitioner has no concern with the alleged recovery of illicit liquor or container in question from where the recovery has been made. Nothing incriminating article has been recovered from conscious possession of the petitioner rather his name has transpired in this case on the disclosure made by apprehended co-accused namely, Vivek Yadav who is already getting the privilege of bail granted by a co-ordinate bench of this court vide order dated 25.1.2023 passed in Cr. Misc. No. 42680 of 2022. Moreover, the petitioner is languishing in judicial custody since 17.12.2022.

Learned APP appearing for the State has vehemently opposed the prayer of Bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Sarai P.S. Case No. 197 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise and



Prohibition Court- 2nd cum-Additional District and Sessions
Judge, Hajipur at Vaishali.

(Sunil Kumar Panwar, J)

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