

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8012 of 2023

Arising Out of PS. Case No.-287 Year-2022 Thana- CHANDI District- Bhojpur

RAHUL KUMAR Son of Vijay Singh @ Vijay Singh Yadav Resident of
Village - Salempur, P.S.- Chandi, District - Bhojpur at Ara, Pin - 802161
(Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Kumar

For the Opposite Party/s : Mr.Sanjay Kumar Sharma

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 12-04-2023 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 30(a)/36 of
the Bihar Prohibition and Excise Act.

The accusation against the petitioner is to involve in
business of illicit liquor and also recovered total 100 liters illicit
Mahua liquor from bank of Charhi river.

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 with the place of occurrence. Neither the petitioner



was arrested on spot nor any incriminating article has been recovered from conscious his conscious possession rather his name has been disclosed by the local Chaukidar in this case. It is further submitted that the seizure list witness are police official, not a single independent witness which violates section 100 of Cr.P.C. Moreover, the petitioner is languishing in judicial custody since 3.1.2023.

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 Chandi P.S. Case No. 287 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 Court-I, Bhojpur at Ara.

(Sunil Kumar Panwar, J)

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