

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9460 of 2023

Arising Out of PS. Case No.-58 Year-2021 Thana- MALAYPUR District- Jamui

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Rahul Kumar Singh @ Rahul Kumar @ Rahul Singh @ Rahul Sing S/O
Kamta Prasad Singh Resident Of Village- Kalali Fatak Shivpujan Nagar, P.S.-
Katrass, District- Dhanbad (Jharkhand).

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Amit Kumar Pandey
For the Opposite Party/s : Mr.Sucheta Yadav

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 17-04-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has prayed for bail in a case
registered for the offence punishable under sections 272,
273/34 of Indian Penal Code and Sections 30(a), 36,
41(1) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 90 litres
of I.M.F.L. from a car bearing Reg. No. JH-01CV-4645.

Learned counsel appearing on behalf of the
petitioner has submitted that petitioner is innocent and



has committed no offence. He has no concern with the alleged recovery or with the vehicle in question. The name of the petitioner has been disclosed in this case by the apprehended co-accused before the police, which has got no evidentiary value in the eye of law. Neither the petitioner was arrested on spot nor any incriminating article has been recovered from his conscious possession. The petitioner suo-moto surrendered on 05.01.2023, before the Court and since then he is languishing in judicial custody.

Learned APP appearing for the State has 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 enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Exclusive Excise Court



No. 1, Jamui in connection with Malaypur P.S. Case No.
58 of 2021.

(Sunil Kumar Panwar, J)

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