

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7841 of 2023

Arising Out of PS. Case No.-830 Year-2022 Thana- FATUA District- Patna

RAKESH KUMAR SON OF (PAYARE RAVIDAS) PYARE RABIDAS R/O
VILLAGE- VARUNA, P.S.- FATWAH (FATUHA), DISTRICT- PATNA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satya Narayan Prasad, Adv.

For the Opposite Party/s : Mr. Narsingh Tanti, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 29-04-2023

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Fatuha P.S. Case no.830 of 2022 registered under section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, about 100 litres of mahua liquor was recovered from the back seat of the tempo of which this petitioner is the driver.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. He ferries passengers on the tempo. The alleged article in which the liquor was allegedly recovered does not belong to the petitioner and may have been left behind by one of the passengers. The petitioner is in custody since 14.11.2022 and has no criminal



antecedent.

5. Heard learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration that the petitioner has no criminal antecedent, his being in custody since 14.11.2022 and chargesheet having been submitted in the case, the Court directs the petitioner to be enlarged on bail in connection with Fatuha P.S. Case no.830 of 2022 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 Exclusive Special Judge, Excise, Patna City, District Patna.

(Partha Sarthy, J)

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