

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.15628 of 2023**

Arising Out of PS. Case No.-403 Year-2022 Thana- ARA MUFFSIL District- Bhojpur

SARVIS KUMAR @ RAKESH KUMAR Son of Narvesh Rai @ Narbeshwar  
Yadav Resident of Village - Piprahiya, P.S.- Ara Muffasil, District - Bhojpur  
at Ara.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Manoj Kumar Singh

For the Opposite Party/s : Mr. Kanhaiya Kishore(App100)

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR  
ORAL ORDER**

2      09-05-2023                      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 section 30(a) of the  
Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of total 300 liters  
of illicit country made liquor from a vehicle without number  
plate and the petitioner is alleged to be apprehended on spot.

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. A  
statement has been made in para-3 of the petition that the  
petitioner has got no criminal antecedent. Petitioner has no



concern with the alleged recovery of illicit liquor or with the vehicle in question rather the seized vehicle belongs to co-accused Nagendra Rai. No any incriminating article has been recovered from conscious possession of the petitioner. It is further submitted that the petitioner is languishing in judicial custody since 24.11.2022.

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 Ara Muffasil P.S. Case No. 403 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 court of 1<sup>st</sup> Exclusive Special Excise Court, Bhojpur at Ara.

**(Sunil Kumar Panwar, J)**

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