

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11102 of 2023

Arising Out of PS. Case No.-366 Year-2022 Thana- KHAJEKALA District- Patna

Rahul Kumar Son Of Shankar Sah @ Shyam Babu Saw Resident Of - Diwan
Mohalla Pato Ki Bag, P.S.- Khajekalan, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar Pradhan

For the Opposite Party/s : Mr.Gulnar Begum

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 20-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has filed the instant application for grant of regular bail in connection with Khajekalan P.S. Case No. 366 of 2022 registered under section 30(a) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of total 40 liters of country made liquor from the jute bag.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. It is further submitted that neither the petitioner was arrested on spot nor any illicit liquor has been recovered from his conscious possession. He has no concern either with the illicit liquor or with the place of



occurrence where the recovery has been made. It is also submitted that there is no independent witness of the seizure list. Moreover, the petitioner is languishing in judicial custody since 17.12.2022.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as the custody of the petitioner, the Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Khajekalan P.S. Case No. 366 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.

(Sunil Kumar Panwar, J)

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