

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14530 of 2023

Arising Out of PS. Case No.-638 Year-2022 Thana- MALSALAMI District- Patna

Radhey @ Radhey Rai @ Radha Kumar S/O Krishna Rai @ Krishna Deo Rai
R/O Village- Kila Road, Kauaa Khoh, P.S.- Chowk, Distt- Patna.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jay Ram Prasad

For the Opposite Party/s : Mr.Ajay Kumar No. 2

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 27-04-2023 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 30(a), 36 of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 50 litres of country made liquor from different motorcycles.

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 motorcycle in question. The name of the petitioner has been disclosed in this case by the apprehended co-accused, namely, Santosh Kumar 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. He is languishing in judicial custody since 3.2.2023.

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 Special Judge, Excise, Patna City in connection with Malsalami P.S. Case No. 638 of 2022.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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