

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17592 of 2023

Arising Out of PS. Case No.-117 Year-2022 Thana- KALER District- Jehanabad

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Rakesh Jat S/O Narayan Lal Jat R/O Village- Mori Udaypur, P.S- Kheroda,
District- Udaypur

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anirudh Kumar Sinha

For the Opposite Party/s : Mr.Rita Verma

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 12-05-2023 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), 42 of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 2376
litres of Indian Made Foreign Liquor from a Truck
bearing Registration Number MH-10AW-8777. The
petitioner is alleged to be driver of the Truck in question,
who along with co-driver Chatar Lal Dangi were
apprehended on spot.

It is submitted by learned counsel for the



petitioner that petitioner is innocent and he has falsely been implicated in the present case. The petitioner has been dragged in this case only because he is the driver of the Truck in question. He has no knowledge about the illicit liquor and he has no concern with it. Moreover, the petitioner is languishing in judicial custody since 30.12.2022. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

In contra, learned A.P.P. vehemently opposed the prayer of bail and submitted that petitioner is the driver of the truck from which huge quantity of liquor has been seized.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period under custody, 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 II, Excise, Jehanabad in
connection with Kaler P.S. Case No. 117 of 2022.

The petitioner is directed to deposit a sum of
Rs. 40,000/-(Rupees Forty Thousands) in the concerned
District Legal Services Authority.

The bail bond of the petitioner shall be
accepted by the learned Court below on showing receipt
of deposit of Rs. 40,000/-(Rupees Forty Thousands) in
District Legal Services Authority of concerned District.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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