

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14792 of 2023

Arising Out of PS. Case No.-707 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Sitamarhi

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RAJ KUMAR RAI @ DANI YADAV S/O Bhola Prasad Yadav @ Bhola Prasad Rai @ Bhola Rai R/O Village- Yadav Nagar Riga Road (Janaki Asthan) P.S- Sitamarhi, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Uday Kumar

For the Opposite Party/s : Mr.Arun Kumar

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 28-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 30(a) and 32(3) of the
Bihar Prohibition and Excise Act.

As per prosecution case, there has been recovery of
total 149.76 liters of illicit Foreign liquor from the construction
house of the petitioner.

It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has
committed no offence. He submitted that the petitioner has not
apprehended on spot. He has no concern with the seized liquor.
Nothing incriminating article has been recovered from the



conscious possession of the petitioner. On the basis of confessional statement of apprehended co-accused, the name of the petitioner has come into light, which has got no evidentiary value in the eye of law. He is languishing in judicial custody since 20.10.2022.

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

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 Spl. Judge Exclusive Excise Court 2nd, Sitamarhi in connection with Government Official Comp. P.S. Case No. 707 of 2022.

(Sunil Kumar Panwar, J)

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