

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16482 of 2023

Arising Out of PS. Case No.-492 Year-2022 Thana- KESARIA District- East Champaran

Rakesh Ram Son Of Late Jodhi Ram Resident Of Village- Siswa Kharar, Ps-
Kalyanpur, District- East Champaran

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ujjwal Kumar Singh
For the Opposite Party/s : Mr.Indu Kumari Srivastava

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 11-05-2023 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 sections 272, 273, 341, 323, 307, 279, 332, 353, 34 of the IPC and Sections 30(a) Bihar Prohibition and Excise Act.

The prosecution case relates to recovery of total 50 liters liquor which were recovered from two motorcycles.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has



falsely been implicated in this case merely on the basis of confessional statement of co-accused, namely, Lakhindra Sahni. The petitioner has no concern with the alleged recovery nor vehicles in question belong to him. It is submitted that nothing incriminating article has been recovered from his conscious possession. Similarly situated co-accused persons have already been granted bail by a coordinate Bench of this Court vide order dated 03.05.2023 passed in Cr. Misc. No. 15503 of 2023. It is further submitted that the petitioner is languishing in judicial custody since 13.01.2023.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Kesariya P.S. Case No. 492 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 Exclusive Special



Excise Court No-2, East Champaran, Motihari.

(Sunil Kumar Panwar, J)

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