

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18087 of 2023

Arising Out of PS. Case No.-719 Year-2022 Thana- MAHUA District- Vaishali

RAHUL SINGH, age about 29 years, SON OF GANESH SINGH
RESIDENT OF VILLAGE- BHAGWANPUR TARAURA, PS- MAHUA
DISTRICT- VAISHALI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Santosh Kumar, Advocate

For the Opposite Party/s : Mr.Yogendra Kumar Singh, App

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 09-05-2023 1. Heard learned counsel for the petitioner and the
learned APP for the State.

2. Petitioner seeks regular bail in connection with
Mahua P.S. Case No. 719 of 2022 dated 18.11.2022 registered
for the offence(s) punishable under Section(s) 419, 420, 467,
468, 471, 34 of the Indian Penal Code and Sections 30(a),
32(i), (ii), 36, 37(C), 41 of the Bihar Prohibition and Excise Act
and Sections 25(1-b)a, 26 and 35 of the Arms Act.

3.The main submissions advanced by the learned
counsel for the petitioner are that the instant matter relates to
the recovery of 2633.31 litres of Indian made foreign liquor and
the same is stated to have been recovered from a truck and a car
and as per prosecution five persons were apprehended at the



spot while loading and unloading the alleged liquor in/from the said vehicles but the petitioner was not apprehended at the spot and his name came into light in the statements of the arrested co-accused persons. Further submissions are that four co-accused persons, who were apprehended at the spot, have been granted bail by different co-ordinate Benches of this Court vide orders Annexure 2 series and vide order passed in Cr. Misc. No.72844 of 2022 and the case of this petitioner stands on better footing than the said co-accused persons as he was not apprehended at the spot and against him, the investigation has been completed and petitioner is neither the owner nor the driver of the seized truck and car and he has been languishing in jail since 17.02.2023.

4. Learned APP appearing for the State opposes the bail prayer.

5. Considering the above submissions and mainly the facts that the petitioner was not apprehended at the spot of the recovery, his name came into light in the statements of the apprehended co-accused persons who are on bail, as mentioned-above and against the petitioner, the investigation has been completed, in the opinion of this Court a lenient approach can be taken in respect of the petitioner's prayer, let the petitioner be



released on bail in connection with Mahua P.S. Case No. 719 of 2022 on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned.

(Shailendra Singh, J)

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