

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20049 of 2023

Arising Out of PS. Case No.-8 Year-2023 Thana- KALER District- Jehanabad

RAKESH KUMAR Son of Late Harendra Rai @ Late Harindra Ray R/V-
Terasiya Diyar, PS- Ganga Bridge, Dist- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Chandra Gandhi, Advocate
For the Opposite Party/s : Mr. Shyam Bihari Singh, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 10-05-2023 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. Petitioner seeks regular bail in connection with
Kaler P.S. Case No. 08 of 2023, dated 23.01.2023 registered for
the offences punishable under Sections 30(a) and 42 of the
Bihar Prohibition and Excise Act.

3. The main submissions advanced by petitioner's
counsel are that the instant matter relates to the recovery of 255
litres of *illicit english wine* and the same is stated to have been
recovered from a *Tata Magic vehicle* and as per prosecution the
petitioner was found in the said vehicle as a driver but in actual
the petitioner had no knowledge of the loaded wine which was
kept secretly in the said vehicle in hidden boxes and petitioner
was *bonafidely* performing his duty as a driver at the instruction



of vehicle's owner and he has been languishing in jail since 24.01.2023 having fair and clean antecedent and against him the investigation has been completed. Further submissions are that the petitioner is a very young person and he is the sole breadwinner of his family.

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

5. Considering the above submissions and mainly petitioner's fair and clean antecedent and the completion of investigation against him, in my opinion it is a fit case for bail to the petitioner. Accordingly, let the petitioner named-above be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the concerned Court in connection with Kaler P.S. Case No. 08 of 2023.

(Shailendra Singh, J.)

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