

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18532 of 2023

Arising Out of PS. Case No.-155 Year-2023 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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Rakesh Kumar Son Of Umesh Ray R/O Village- Korbaddha, P.S.- Samastipur
(MUFFASIL), District- Samastipur

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anant Kumar Mishra

For the Opposite Party/s : Mr.Abhay Kumar Roy

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 17-05-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner prayed for regular bail in
connection with Samastipur (Muffasil) P.S. Case No. 155 of
2023 instituted for the offence under Sections 420, 467,
468, 471, 120B, 34 of the IPC and Sections 30(a)(b), 32, 36,
41(i)(ii), 44(i), 62 of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 932.760
liters foreign liquor from a house and from a vehicle
bearing Reg. No. BR06GB-1357.

Learned counsel appearing on behalf of the
petitioner has submitted that petitioner is innocent and has



committed no offence. The petitioner was driver of the alleged vehicle due to which he has falsely been implicated in this present case. Petitioner has no concern with the alleged recovery nor vehicle and house in question belong to him. He has got no criminal antecedent. It is further submitted that nothing incriminating article has been recovered from his conscious possession. Moreover, the petitioner is languishing in judicial custody since 19.02.2023.

Learned APP appearing for the State has vehemently opposed the prayer of Bail.

The petitioner is directed to deposit a sum of Rs 5,000/- (Five Thousand) in the District Legal Services Authority of concerned District.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as judicial custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Samastipur (Muffasil) P.S. Case No. 155 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the



like amount each to the satisfaction of learned Special
Excise Judge-I, Samastipur..

The bail bonds of the petitioner shall be accepted
by the learned court below on showing the receipt of
deposit of Rs. 5,000/- (Rs. Five thousand) by the petitioner
in the account of the concerned DLSA.

(Sunil Kumar Panwar, J)

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