

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19206 of 2023

Arising Out of PS. Case No.-356 Year-2022 Thana- PHULPARAS District- Madhubani

Rahat Khan @ Rahat @ Md. Rahat @ Md. Rahat Khan Son Of Md. Rajjak
R/V- Gandhi Nagar, Sevoke Road, P.S- Shaktinagar, Dist- Silliguri
(jalpaiguri) West Bengal

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Jha

For the Opposite Party/s : Mr.Binod Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 18-05-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has prayed for bail in a case
registered for the offence punishable under sections
30(a) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 3793.680
litres of Indian Made Foreign Liquor from the house of
co-accused Anil Yadav and Santosh Yadav. The
allegation against the petitioner is that petitioner was
supplying the liquor after receiving money from the co-
accused persons.



Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has no concern with the alleged recovery or with the place of occurrence. The name of the petitioner has been disclosed in this case by the apprehended co-accused before the police, which has got no evidentiary value in the eye of law. Neither the petitioner was arrested on spot nor any incriminating article has been recovered from his conscious possession. He is languishing in judicial custody since 13.10.2022.

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

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period under custody, 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 Special Judge, Excise Act, Jhanjharpur,
Madhubani in connection with Phulparas P.S. Case No.
356 of 2022.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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