

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32063 of 2023**

Arising Out of PS. Case No.-397 Year-2017 Thana- NAWADA District- Nawada

Rahul Kumar, Son Of Upendra Yadav, Village Lohani Bigha, Ps- Nawada,
Distt- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Shyam Bihari Singh, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 22-05-2023 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned A.P.P for the State.

The petitioner has preferred this application for grant of regular bail in connection with Nawada P.S. Case No. 397 of 2017 dated 11.06.2017 registered for the offences punishable u/ss 272 and 273 of the Indian Penal Code and u/s 30(a) of the Bihar Prohibition and Excise Act.

As per the prosecution case, on secret information that huge quantity of illicit foreign liquor was kept in godown of Rajesh Singh. Thereafter, the godown was searched and total 324 litres of foreign illicit liquor was recovered. On seeing



the police, 4-5 miscreants fled away from the godown.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is not named in the F.I.R. The name of the petitioner has sprung up in the confessional statement of the co-accused Rakesh Kumar. Nothing has been recovered from the conscious possession of the petitioner. The petitioner is accused in two other criminal cases in which he is on bail in both the cases as stated in para 3 of the bail petition. The petitioner is in custody since 27.03.2023.

Learned A.P.P. for the State has vehemently opposed the prayer of bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Nawada in connection with Nawada P.S. Case No. 397 of 2017.

The application stands allowed.

(Chandra Prakash Singh, J)

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