

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33681 of 2023

Arising Out of PS. Case No.-90 Year-2023 Thana- BAUNSI District- Banka

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RUPESH KUMAR SON OF KRISHNA PRASAD YADAV Village-
Ranipatti, Ps- Kumarkhand, Dist- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee, Advocate

For the Opposite Party/s : Mr. Pronoti Singh, A.P.P

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

ORAL ORDER

2 24-05-2023 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 Bounsi P.S. Case No. 90 of
2023 dated 05.04.2023 registered for the offences punishable
u/s 30(a) of Bihar Prohibition and Excise (Amendment) Act
2018.

As per the prosecution case, total 134.28 litres of
illicit foreign liquor was recovered from a Tata Indigo Car..

Learned counsel for the petitioner has submitted that



the petitioner is innocent and has falsely been implicated in this case. The petitioner is the driver of the said car. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 06.4.2023.

Learned A.P.P for the State has vehemently opposed the 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 Additional District & Sessions Judge-II, Banka in connection with Special Excise Case No. 212 of 2023 (arising out of Bounsi P.S. Case No 90 of 2023.)

The application stands allowed.

(Chandra Prakash Singh, J)

Guddu kr/-

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