

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37508 of 2023

Arising Out of PS. Case No.-568 Year-2023 Thana- PHULWARISHARIF District- Patna

RAHUL KUMAR son of DEV KUMAR@ JAI KUMAR SAO RAMJICHAK
NAHARPAR OF BATAGANJ, PS- DIGHA, DISTRICT- PATNA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramhansh Kumar Puri

For the Opposite Party/s : Mr. Gulnar Begum

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

ORAL ORDER

2 28-06-2023 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 Special Case No. 3503 of 2023 arising out of Phulwari Sharif P.S. Case No. 568 of 2023 dated 14.04.2023 registered for the offences punishable u/s section 30(a) of the Bihar Prohibition and Excise Act.

As per the prosecution case, total 195 litres of illicit *mahua* liquor was recovered from the two tempos.

Learned counsel for the petitioner has submitted that



the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has no concern with the said recovery. The petitioner is neither the owner nor the driver of the said tempo. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 15.04.2023.

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 Court concerned, Patna in connection with Special Case No. 3503 of 2023 arising out of Phulwari Sharif P.S. Case No. 568 of 2023.

The application stands allowed.

(Chandra Prakash Singh, J)

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