

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37681 of 2023

Arising Out of PS. Case No.-76 Year-2023 Thana- BIHIA District- Bhojpur

RAKESH PANDEY S/O ASHOK KR PANDEY @ ASHOK PANDEY R/O
Village- Birpur, PS. Sahpur, Dist. Bhojpur

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raju Kumar Singh
For the Opposite Party/s : Mr.Jai Narain Thakur

**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 Bihiyan P.S. Case No. 76 of
2023 dated 30.3.2023 registered for the offences punishable u/s
30(a) of the Bihar Prohibition and Excise Act.

As per the prosecution case, 300 litres of liquor is
alleged to have recovered from a Bolero vehicle.

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 is neither owner nor the driver of the vehicle. The petitioner has got clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 31.3.2023.

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, Bhojpur at Ara in connection with Bihiyan P.S. Case No. 76 of 2023.

The application stands allowed.

(Chandra Prakash Singh, J)

Ajay Singh/-

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