

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38272 of 2023

Arising Out of PS. Case No.-260 Year-2022 Thana- CHERIYA BARIYARPUR District-
Begusarai

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RAHUL KUMAR Son of Late Ramashray Singh Resident of Village -
Manjhaul - 2, Ward No. - 10, P.S.- (Manjhaul O.P.) Cheriabariyarpur,
District - Begusarai (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Nakul Kumar Jamuar
For the Opposite Party/s : Mr.Humayou Ahmad Khan

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 04-07-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has prayed for regular bail in a case
registered for the offence punishable under section 30(a)
Bihar Prohibition and Excise Act and under Sections 188
and 290 of the Indian Penal Code.

As per prosecution case, it is a case of recovery of
total 1646.67 liters foreign liquor from a container bearing
Reg. No. RJ-32GB-0431.

Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He has
falsely been implicated in this case merely on the basis of
confessional statement of co-accused. The petitioner has no



concern with the alleged recovery and vehicle in question does not belong to him. Neither the petitioner was arrested on the spot nor any incriminating article has been recovered from his conscious possession. He has got no criminal antecedent. It is further submitted that the petitioner is languishing in judicial custody since 02.05.2023.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Cheriabariyarpur (Manjhaul) P.S. Case No. 260 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Excise, Ist, Begusarai.

(Sunil Kumar Panwar, J)

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