

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48145 of 2023**

Arising Out of PS. Case No.-496 Year-2021 Thana- MADHAURAH District- Saran

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KRISHNA RAI @ RAKATU RAI SON OF HITLAL RAI RESIDENT OF
VILLAGE- TEHATI, PS- ARHOWRRAH, DIST- SARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Nalin Kumar

For the Opposite Party/s : Mr.Mritunjay Kumar Nirala

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

ORAL ORDER

- 2 08-08-2023 1. 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.
2. Heard learned counsel for the petitioner and learned A.P.P. for the State.
3. The petitioner has preferred this application for grant of regular bail in connection with Marhowrrah P.S. Case No. 496 of 2021 dated 20.8.2021 registered for the offence punishable u/ss 467, 468, 471, 420, 120B of the IPC and 30(a) of the Bihar Prohibition and Excise Act.
4. As per the prosecution case, 875 litres of spirit is alleged to have recovered from a truck.
5. 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 alleged recovery. The petitioner is neither the owner nor the driver of the vehicle. The petitioner is accused in 4 other criminal cases as stated in para 3 of the bail petition. The petitioner is in custody since 16.1.2023.

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

7. 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, Saran, Chapra in connection with Marhowrrah P.S. Case No. 496 of 2021.

8. The application stands allowed.

(Chandra Prakash Singh, J)

Ajay Singh/-

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