

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46378 of 2023

Arising Out of PS. Case No.-163 Year-2023 Thana- SURYAGARHA District- Lakhisarai

Rabish Kumar S/O Upendra Yadav @ Opi Yadav R/O Village- Jakarpura, Ps.
Surajgaraha, Dist. Lakhisarai

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binay Kumar

For the Opposite Party/s : Mr.Manoj Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 04-08-2023 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 sections 30(a) and 32(iii) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 1 liter and 800 ml of country made liquor from the possession of the petitioner.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. It is further submitted that the vehicle in question belongs to the petitioner and in support of this, Annexure-2 series has been annexed in this petition. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. There is no



independent witness of the seizure list rather they are police personnel. Moreover, the petitioner is languishing in judicial custody since 11.05.2023.

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 Surajgarha P.S. Case No. 163 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 4th Additional District and Sessions Judge cum Special Judge Court 1st Lakhisarai.

(Sunil Kumar Panwar, J)

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