

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48711 of 2023

Arising Out of PS. Case No.-59 Year-2023 Thana- BHAPTIAHI District- Supaul

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RAKESH KUMAR Son of Binod Goit Resident of village - Dharhara, ward
no. 8, P.S. - Andhramath, Distt. - Madhubani

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar, Advocate

For the Opposite Party/s : Mr.Veena Kumari Jaiswal, APP

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

ORAL ORDER

2 08-08-2023 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.

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 Bhaptiyahi P.S. Case
No. 59 of 2023 dated 16.05.2023 registered for the offences
punishable u/s 30(a) of the Bihar Prohibition and Excise Act.

4. As per the prosecution case, on secret information,
two wine smuggler's were coming on motorcycle. In the course
of checking, the police signaled them to stop but the
motorcyclist left the motorcycle and started to flee away. One of
them was apprehended by the police who disclosed his name as



Rakesh Kumar (petitioner). On search, 70.5 litres of illicit Nepali liquor was recovered from a motorcycle.

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 possession of the petitioner and the petitioner has no concern with the alleged recovery. The petitioner is accused in two other criminal cases as stated in para 3 of the bail petition. The petitioner is in custody since 17.05.2023.

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, Supaul in connection with Bhaptiyahi P.S. Case No. 59 of 2023.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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