

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48525 of 2023

Arising Out of PS. Case No.-99 Year-2023 Thana- SURSAND District- Sitamarhi

RAKESH KUMAR Son of Bhikhari Ram Resident of village - Karbana Goat,
ward no. 04, P.S. - Sursund, Distt. - Sitamarhi

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Krishna Murari
For the Opposite Party/s : Mr.Mohammed Arif

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

ORAL ORDER

- 2 09-08-2023 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 Sursand P.S. Case No. 99 of 2023 dated 27.2.2023 registered for the offence punishable u/s 414 of the IPC and 30(a) of the Bihar Prohibition and Excise Act.
4. As per the prosecution case, 93.9 litres of illicit Nepali liquor is alleged to have recovered from the bag which was tied on the motorcycle of the petitioner.



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 has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 28.2.2023.

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, Sitamarhi in connection with Sursand P.S. Case No. 99 of 2023.

8. The application stands allowed.

(Chandra Prakash Singh, J)

Ajay Singh/-

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