

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56706 of 2023

Arising Out of PS. Case No.-819 Year-2023 Thana- PHULWARISHARIF District- Patna

Rakesh Kumar Son Of Vidya Rai Resident Of Village- Nakia Diyar, Ps
-DIGHA, Dist- Patna, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vagisha Pragya Vacaknavi

For the Opposite Party/s : Mr.Syed Mojibur Rahman

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 30-08-2023 Heard the learned counsel for the petitioner and
learned APP for the State.

2. Let the defect(s), if any, be removed within a period
of four weeks from today.

3. The petitioner seeks bail in connection with
Phulwari Sharif P.S. Case No. 819 of 2023 registered for the
offence under Section 30(a) of Bihar Prohibition and Excise
Amendment Act, 2018.

4. As per the prosecution case, 150 liters of
Mahua/alcohol was recovered.

5. Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in this case as nothing has
been recovered from the conscious possession of the petitioner
and the recovery has been made from the back seat of the tempo



of the petitioner which is used by the passengers and he has no knowledge about the same.

6. Learned counsel for the petitioner also submits that the petitioner is in custody since 06.06.2023.

7. Learned A.P.P. has vehemently opposed the prayer for bail.

9. Considering the aforesaid facts and the period of custody, this application for regular bail is allowed.

10. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge (Excise Act), Patna in connection with Phulwari Sharif P.S. Case No. 819 of 2023.

11. The petitioner will visit Digha Police Station on the first Sunday of each month. Any default in appearance at the Police Station would result in cancellation of bail bond of the petitioner.

(Sandeep Kumar, J)

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