

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62990 of 2023

Arising Out of PS. Case No.-260 Year-2023 Thana- BAKHTIYARPUR District- Patna

Rakesh Kumar Son Of Jimdar Rai Resident Of Village- Nayatola Sabnima,
Ps- Athmalgola, Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Niranjana Pd. Singh

For the Opposite Party/s : Mr.Rajesh Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 05-10-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under section 30(a) of the Bihar Prohibition and Excise Act.

3. Prosecution case relates to recovery of total 850 liters of country made liquor from the bush.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. He has no concern either with the seized liquor or with the place of occurrence and also nothing has been recovered from his conscious possession. Similarly situated other co-accused person has already been granted bail by co-ordinate Bench of this Court vide Annexure-2



of this petition. Moreover, the petitioner is languishing in judicial custody since 16.06.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. 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 Bakhtiyarpur P.S. Case No. 260 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 Exclusive Spl. Judge Excise, Barh.

(Sunil Kumar Panwar, J)

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