

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68980 of 2023

Arising Out of PS. Case No.-147 Year-2023 Thana- YADOPUR District- Gopalganj

Rishu Kumar @ Rishu Rai @ Sandal Rai @ Sandalu Rai S/O Suneshwar Rai
R/O Village-Barai Patti, P.O.-BARAI Patti, P.S.-JADOPUR, District-
Gopalganj

... .. Petitioner/s

Versus

The State Of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vikash Kumar Shukla
For the Opposite Party/s : Mr.Umanath Mishra

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 03-11-2023 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 90 liters of country made liquor from altogether two motorcycles and one co-accused apprehended on spot and he disclosed the name of the petitioner.

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. The petitioner was not apprehended on spot and also nothing has been recovered from



his conscious possession. He has no concern with the seized liquor. Similarly situated other co-accused person who was arrested on spot has already been granted bail by another co-ordinate Bench of this Court vide order dated 16.08.2023 in Cr. Misc. No. 50120 of 2023. Moreover, the petitioner is languishing in judicial custody since 18.08.2023.

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 Jadopur P.S. Case No. 147 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 Additional District and Sessions Judge 2nd cum Special Judge Excise Court No.1, Gopalganj.

(Sunil Kumar Panwar, J)

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