

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68879 of 2022

Arising Out of PS. Case No.-858 Year-2022 Thana- BARACHATTI District- Gaya

RAHUL KUMAR S/O Late Manoj Dangi R/O Village- P.S- Rajpur, District-
Chatra (Jharkhand)

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Kumar No2

For the Opposite Party/s : Mr.Shaheen Begum

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 08-02-2023 Heard the learned counsel for the petitioner
and the learned APP for the State.

The petitioner seeks regular bail in connection with Excise G.R. No. 1629 of 2022, arising out of Barachatty (Mohanpur) P.S. Case No. 858 of 2022, registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

The allegation is regarding recovery of 124.200 liters of illicit English liquor from a Baleno car, which was being driven by the petitioner herein.

The learned counsel for the petitioner has



submitted that the petitioner is innocent, he has been falsely implicated in the present case, he is having a clean antecedent and he is languishing in custody since 23.9.2022. The learned counsel for the petitioner has further submitted that the petitioner is not the owner of the car in question, hence, he was not knowing about the consignment loaded on the said car, thus, he is having no complicity in the matter.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also considering the fact that the petitioner is not the owner of the vehicle in question and he is having a clean antecedent, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail



bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No. 2, Gaya in connection with Excise G.R.No. 1629 of 2022, arising out of Barachatty (Mohanpur) P.S.Case No. 858 of 2022.

(Mohit Kumar Shah, J)

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