

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73320 of 2022**

Arising Out of PS. Case No.-376 Year-2022 Thana- KHAIRA District- Jamui

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Rohit Kumar Son Of Mahendra Prasad @ Mahendra Prasad Yadav R/O Panch
Mandir Road Jamui, P.S.- Jamui, District- Jamui

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dipak Kumar

For the Opposite Party/s : Mr.Shyam Bihari Singh

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**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

4 29-03-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has filed the instant application for grant of regular bail in connection with Khaira P.S. Case No. 376 of 2022 registered under sections 272 and 273 of the Indian Penal Code and Section 30(a) of Bihar Prohibition of Excise Act.

Prosecution case relates to recovery of 50 liters of country made liquor from the e-rickshaw bearing Registration No. BR46ER0912 in which petitioner along with co-accused was present.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. It is further submitted that



nothing incriminating article has been recovered from the conscious possession of the petitioner nor the petitioner was owner of the alleged vehicle. It is further submitted that he has no concern with the seized liquor and he is languishing in judicial custody since 22.09.2022.

The application for bail is opposed by learned APP for the State and submitted that the petitioner was arrested by the police from e-Rickshaw where the recovery has been made.

The petitioner is directed to deposit a sum of Rs. 10,000/-(Ten Thousand) in the District Legal Services Authority of concerned District.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as the custody of the petitioner, the Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Khaira P.S. Case No. 376 of 2022 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Excise Court-I, Jamui.

The bail bonds of the petitioner shall be accepted by the learned Court below on showing the receipt of deposit of Rs.



10,000/- (Ten Thousand) by the petitioner in the account of
concerned DLSA.

(Sunil Kumar Panwar, J)

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