

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.72304 of 2022**

Arising Out of PS. Case No.-441 Year-2022 Thana- RIGA District- Sitamarhi

RAJESH KUMAR Son of Badri Sah @ Bhadai Sah R/V- Bari Masjid  
Gousala Chowk, P.S- Sitamarhi, Dist- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Hans Lal Kumar

For the Opposite Party/s : Mr.Chandra Bhushan Prasad

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

2      13-03-2023                      Heard learned counsel for the petitioner and learned  
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under Section 414 of the Indian Penal Code and Section 30 (a) of the Bihar Prohibition and Excise Act.

As per prosecution case, after getting the information, the police party raided the place of occurrence and apprehended the petitioner along with co-accused Vikram Kumar. On search of the vehicle, 1008 liters illicit liquor was recovered and at the instance of apprehended accused persons, 315 liters liquor was also recovered from another place.

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 has no concern with the alleged recovery of illicit liquor or with the said vehicle from where the recovery has been made. He has got no criminal antecedent. Similarly situated, co-accused namely Vikram Kumar has already been granted bail by a co-ordinate Bench of this Court vide order dated 04.03.2023 in Cr. Misc No. 72538 of 2022. It is further submitted that the petitioner is languishing in judicial custody since 03.10.2022.

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

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Riga P.S. Case No. 441 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court-I, Sitamarhi.

**(Sunil Kumar Panwar, J)**

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