

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74700 of 2023**

Arising Out of PS. Case No.-122 Year-2023 Thana- AKHODHIGOLA District- Rohtas

RAJESH KUMAR @ HALACHAL Son of Kundan Singh @ Kundan Yadav
@ Vipin Bihari Singh Resident of Village - Semaradih, P.S.- Akorhi Gola,
District - Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Singh, Adv.

For the Opposite Party/s : Mr. Sanjay Kumar Singh, APP

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

2 02-12-2023 Heard learned counsel for the petitioner and learned
APP for the State.

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

3. As per prosecution case, there has been recovery of
40 liters of illegal country-made liquor from a motorcycle.

4. It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has
committed no offence. Petitioner was not apprehended on spot.
He submitted that the petitioner has no concern either with the
seized vehicle or with the wine in question. He submitted that
one co-accused namely, Munna Kumar, who apprehended on



spot and on his confessional statement the name of the petitioner has come into light. No incriminating article has been recovered from the conscious possession of the petitioner. The provision of Section 100 of the Cr.P.C. has not been followed in this case. He is languishing in judicial custody since 09.07.2023.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Court concerned in connection with Akhorhigola P.S. Case No. 122 of 2023.

(Sunil Kumar Panwar, J)

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