

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74327 of 2022

Arising Out of PS. Case No.-206 Year-2022 Thana- AWTARNAGAR District- Saran

RAHUL KUMAR RAY @ RAHUL KUMAR S/o Dev Prasad Ray R/v- Jalal
Basant, P.S.- Garkha, District- Saran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajani Kumari

For the Opposite Party/s : Mr.Lakshmi Kant Sharma

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 10-02-2023 Heard the learned counsel for the petitioner
and the learned APP for the State.

The petitioner seeks regular bail in connection with Awatarnagar P.S. Case No. 206 of 2022, registered for the offence punishable under Sections 30 and 30(a) of the Bihar Prohibition Liquor Excise Act, 2016.

The allegation is regarding recovery of 120 liters of illicit liquor from a motorcycle, which was being ridden by the petitioner and one co-accused person.

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 19.9.2022. The learned counsel for the petitioner has further submitted that a sympathetic view be taken, considering the period of incarceration of the petitioner herein.

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 period of incarceration of the petitioner herein, 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 1st Exclusive Special Excise Court, Saran at Chapra in connection with



Awatarnagar P.S. Case No. 206 of 2022.

(Mohit Kumar Shah, J)

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