

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.768 of 2023

Arising Out of PS. Case No.-636 Year-2022 Thana- GARDANIBAG District- Patna

Rakesh Kumar @ Lallu Singh S/O Late Manoj Singh, Resident Of Village-Dhakkanpura, P.S.- Gardanibagh, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Bihari Singh, Advocate

For the Opposite Party/s : Mr. Jagdhar Prasad, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 25-03-2023 Let the defect, if any, be removed within two weeks from today.

Heard learned counsel for the petitioner and learned A.P.P. for the State through virtual mode

The petitioner seeks regular bail in connection with Gardanibagh P.S. Case No. 636 of 2022 lodged under Sections 30(a) and 36 of the Bihar Excise and Prohibition Act, 2018.

As per prosecution case, total 150 liter of wine has been recovered from a truck near PCC Road in front of the petitioner's house.

Counsel for the petitioner submits that the name of the petitioner has figured in this case only and only by virtue that truck loaded with said materials was standing in front of petitioner's house. Counsel further submits that there are two

criminal antecedent of the petitioner under excise act but in both cases, he is on bail. He further submits that the other co-accused of this case has been granted bail by the Co- ordiante Bench of this Court vide order dated 25.02.3023 passed in Cr. Misc. No. 1387 of 2023.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge Excise, Patna in connection with Gardanibagh P.S. Case No. 636 of 2022, subject to the conditions as laid down under Section 437(3) of Cr.P.C..

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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