

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.600 of 2023

Arising Out of PS. Case No.-238 Year-2022 Thana- BARHIYA District- Lakhisarai

RAJESH KUMAR @ GOLU KUMAR Son of Ajay Singh Resident of Ward
no. 5, Barahiya, P.S- Barahiya, Dist- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Pandey

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

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 22-03-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in a case registered
for the offence punishable under sections 30(a) and 37 of the
Bihar Prohibition and Excise Act.

Prosecution case relates to creating nuisance by the
four accused persons riding on two motorcycle including the
petitioner while they are in drunken position. On search, 400
ml. IMFL kept in bottle of sprite of 750 ml.

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no
offence. Recovery has not been made from conscious possession
of the petitioner. The alleged motorcycle bearing Reg. No. BR-
01Dk-8198 belongs to the brother of the petitioner. Similarly



situated three other accused persons have already been enlarged on bail by other coordinate Benches of this Court vide order dated 31.3.2023 passed in Cr. Misc. No. 1274 of 2023 and vide order dated 13.1.2023 passed in Cr. Misc. No. 72228 of 2022. Petitioner is languishing in judicial custody since 2.11.2022.

Learned APP appearing for the State has opposed the prayer of 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 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 Additional District and Sessions Judge-IV-cum-Special Excise Court-I, Lakhisarai in connection with Barahiya P.S. Case No. 238 of 2022.

(Sunil Kumar Panwar, J)

sushma/-

U			
---	--	--	--

