

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70 of 2023

Arising Out of PS. Case No.-662 Year-2022 Thana- AURANGABAD TOWN District-
Aurangabad

=====

Rajeev Kumar @ Raju @ Raju Kumar @ Rajeev Kumar Yadav Son Of
Shivnath Prasad @ Shivnath Yadav Resident Of Village - Yamunapur
Amhara, P.S.- Bihta, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Sinha

For the Opposite Party/s : Mr.Md. Anbzarul Haque Sahara

=====

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 29-03-2023 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), 32(i)(ii), 36, 41(i) of the Bihar Prohibition and

Excise Act.

Prosecution case relates to recovery of 1133.535

litres of Indian Made Foreign Liquor from a pick-up van

bearing registration number BR-31GB-9386 and 81

litres of Indian Made Foreign Liquor from a car bearing

registration number BR-01FK-8916.



Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has no concern with the alleged recovery or with the vehicles in question. He is only sitting in the aforesaid car with co-accused persons. It is also submitted that owner and driver of the alleged car are co-accused Mintu Kumar @ Bhuwar and Mukesh Kumar respectively. Nothing incriminating has been recovered from conscious possession of the petitioner. There is no independent witness of the alleged seizure. He is languishing in judicial custody since 19.10.2022.

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 Special Judge, Excise
1, Aurangabad/concerned court in connection with
Aurangabad Nagar P.S. Case No. 662 of 2022.

(Sunil Kumar Panwar, J)

nirajkrs/-

U			
---	--	--	--

