

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9634 of 2024

Arising Out of PS. Case No.-312 Year-2023 Thana- RIVILGANJ District- Saran

Rakesh Kumar Singh @ Rakesh Singh, Son of Ramji Singh R/o vill - Naika,
Badka Baiju Tola, P.S. - Rivilganj, Distt. - Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Kumar

For the Opposite Party/s : Ms.Sangeeta Sharma

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 28-02-2024 1. Heard learned counsel for the petitioner and learned APP for the State.
2. The petitioner seeks bail in anticipation of his arrest in a case registered for the offences punishable under Sections 30(A) and 41(1) of the Excise Act.
3. The learned counsel for the petitioner submits that the petitioner has antecedent of two cases and the allegation is of recovery of 300 litres of liquor from a Scorpio vehicle.
4. The learned counsel for the petitioner submits that petitioner was not arrested from the spot, as such, nothing was recovered from his conscious possession and is not the owner and driver of the seized vehicle and he he came to be implicated based on confessional statement of Prakash Kumar Singh in police custody, which does not have any evidentiary value.



5. Learned A.P.P. opposes the bail application.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned 2nd Exclusive Special Excise Judge, Saran at Chhapra in connection with Rivilganj P. S. Case No.312 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

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