

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.35770 of 2024**

Arising Out of PS. Case No.-37 Year-2024 Thana- KUNDWACHAINPUR District- East  
Champaran

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Rakesh Kumar S/o Dinesh Paswan R/o vill - Basantpur, P.s. -  
Kundwachainpur, Distt. - East Champaran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Abhishek Kumar, Adv.  
For the Opposite Party/s : Mr.Sangeeta Sharma, APP

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH  
SINGH**

ORAL ORDER

2      09-05-2024                      Heard learned counsel for the petitioner and learned  
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Kundwachainpur P.S. Case No. 37 of 2024 dated 28.03.2024 registered for the offences punishable u/ss 30(a), 32 and 41(i) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 306 litres of illicit Nepali liquor was recovered from the Tata magic vehicle which was being driven by the petitioner.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The name of the petitioner has transpired in this case



merely on suspicion. The petitioner is neither the owner nor the driver of the said vehicle and he has no concern with the alleged recovery. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 29.03.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, East Champaran, Motihari in connection with Kundwachainpur P.S. Case No. 37 of 2024.

7. The application stands allowed.

**(Chandra Prakash Singh, J)**

Gautam/-

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