

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37672 of 2024

Arising Out of PS. Case No.-138 Year-2024 Thana- RAJAPAKAR District- Vaishali

Himanshu Kumar @ Digvijay Kumar @ Divijay Kumar son of Hiramya
Pratap Singh Dev @ Hemant Kumar Singh Village- Rajapakar Near Kali
Asthan Ps- Rajapakar Dist- Vaishali

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Girish Chandra Jha, Adv.
For the Opposite Party/s : Mr.Parmanand Prasad, APP

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

ORAL ORDER

2 16-05-2024 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 Rajapakar P.S. Case No. 138 of 2024 dated 23.04.2024 registered for the offences punishable u/s 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 155.520 litres of illicit foreign liquor was recovered from the basement of the house of the petitioner.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is further submitted that the petitioner has no concern with the alleged recovery. Nothing has been recovered



from the conscious possession of the petitioner. The petitioner has one criminal antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 24.04.2024.

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, Vaishali at Hajipur in connection with Rajapakar P.S. Case No. 138 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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