

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37026 of 2024

Arising Out of PS. Case No.-965 Year-2023 Thana- KANTI District- Muzaffarpur

Raj Kumar Son of late Ram Sevak Sah Resident of Vilage- Chiknauta, P.S. -
Karja, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sagar Kumar, Advocate

For the Opposite Party/s : Ms. Asha Kumari, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 15-05-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Kanti
P.S. Case No. 965 of 2023 instituted for the offences under
Section 30(a), 32(2), 32(3), 36, 41(1), 41(2) of the Bihar
Prohibition and Excise Act.

3. As per prosecution case, the police, on receipt of
secret information, reached at the place of occurrence. On
seeing the police force, 10-12 persons started to flee away from
there by two wheeler and four wheeler but, on chase, one person
was apprehended who disclosed his name as Deepak Kumar. He
also told the names of the persons who fled away from there
including the petitioner. The police seized one truck and four



pick-up vehicles from the place of occurrence. On search, altogether 5670.00 liters of illicit foreign liquor was recovered from the five vehicles.

4. The learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner has no criminal antecedent as has been stated in paragraph no.3 of the present bail application. The petitioner has no concern either with the seized liquor or the vehicles, in question. The petitioner is neither the driver nor owner of any of the pick-up vehicle or the truck. The petitioner is languishing in judicial custody since 10.04.2024. Other co-accused has been granted bail by this Court *vide* order dated 15-02-2024, passed in Cr. Misc. No. 7907 of 2024.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the entire facts and circumstances of the case and taking into account the period of custody of the petitioner as also the petitioner having no criminal antecedent and claim based on parity, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten



thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Kanti P.S. Case No. 965 of 2023.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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