

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42542 of 2024

Arising Out of PS. Case No.-132 Year-2024 Thana- PATNA CITY CHOWK District- Patna

Rajesh Kumar Son of Sakal Ray @ Sakal Rai R/O VILL.- KAIMASHIKOH,
GANPATI PALACE, P.S.- CHOWK, DIST.- PATNA

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binay Kumar Singh

For the Opposite Party/s : Mr. Umanath Mishra

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 02-08-2024 1. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application, for grant of regular bail, arises out of Chowk Police Station Case No. 132 of 2024, dated 16.03.2024, disclosing offences under Sections 30(a) of the Bihar Prohibition and Excise Act.
3. The prosecution case, as per the First Information Report, is that on 16.03.2024, the police got secret information that the petitioner was indulged in sale of illicit liquor behind Ganpati Palace at Kaimashikoh and when the police party reached at the place of occurrence, one person succeeded in fleeing away. Upon search, the police party recovered 26 liters of country made illicit liquor from jute bag.
4. Learned counsel for the petitioner submits that the



petitioner has falsely been implicated in this case on the basis of secret information. Illicit liquor has not been recovered from the conscious possession of the petitioner and/or premises belonging to him. He further submits that during pendency of the anticipatory bail application, the petitioner was arrested, as such, the bail application was withdrawn. The petitioner is in custody since 13.05.2024.

- 5. Regards being had to the submissions made by the parties and taking into consideration that the petitioner is in custody since 13.05.2024 and there is no likelihood that the petitioner will abscond and/or temper with the evidence, I am inclined to grant regular bail to the petitioner.
- 6. This application is, accordingly, allowed.
- 7. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount, each to the satisfaction of learned Special Judge Excise, Patna City, in connection to the Chowk Police Station Case No. 132 of 2024.

(Anil Kumar Sinha, J)

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