

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46983 of 2024

Arising Out of PS. Case No.-754 Year-2023 Thana- HAJIPUR SADAR District- Vaishali

Rahul Kumar Singh @ Rahul Kumar @ Rahul Singh Son of Ratnesh Kumar Singh @ Ratnesh Singh Resident of Vill- Mohammadpur Nizma, P.S.- Mahua, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anish Kumar

For the Opposite Party/s : Mr.Asha Kumari

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 02-07-2024 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has prayed for bail in a case registered for the offence punishable under sections 30(a), 32(20, 36, 41(1) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 4644 litres of IMFL from a Truck bearing Reg. No. RJ-07gb-3716. Driver and cleaner of the Truck were apprehended on spot and they disclosed the name of petitioner as their associate.



Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has no concern with the alleged recovery, vehicle in question or with the apprehended co-accused persons. The name of the petitioner has been disclosed in this case by the apprehended co-accused before the police, which has got no evidentiary value in the eye of law. Neither the petitioner was arrested on spot nor any incriminating article has been recovered from his conscious possession. He is languishing in judicial custody since 11.06.2024. Similarly situated co-accused persons have been granted bail vide order dated 12.01.2024, passed in Cr. Misc. No. 86692 of 2023 by this court.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail.



The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No. I-cum-Additional district and Sessions Judge, Vaishali, Hajipur in connection with Hajipur Sadar P.S. Case No. 754 of 2023.

(Sunil Kumar Panwar, J)

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