

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48613 of 2024

Arising Out of PS. Case No.-155 Year-2024 Thana- PATEPUR District- Vaishali

Rahul Kumar Singh @ Rahul Kumar @ Rahul Singh Son of Ratnesh Kumar
Singh @ Ratnesh Singh R/O Vill.- Madhopur Nizma, P.S.- Mahua, District -
Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anish Kumar, Advv

For the Opposite Party/s : Mr. Nitya Nand Tiwary, APP

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

ORAL ORDER

2 10-07-2024 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 Patepur P.S. Case No. 155 of 2024 dated 04.06.2024 registered for the offences punishable u/s 30(a), 38(2), 41(1) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 189 litres of illicit foreign liquor was recovered from the *Mahindra XUV 500 Vehicle*.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is not the owner of the said vehicle and



the same was not being driven by him at the time of the alleged recovery. The name of the petitioner has transpired on the basis of suspicion. The petitioner has no concern with the alleged recovery. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has twenty criminal antecedents as stated in para 3 of the bail petition. The petitioner is in custody since 05.06.2024.

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 nature of allegation levelled against the petitioner and 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 in connection with Patepur P.S. Case No. 155 of 2024, , with a condition/s:-

(i). The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to cancelled.

(ii). If the petitioner is found involved in similar nature of offence in future, the prosecution will be at liberty to move for cancellation of his



bail bond.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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