

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62787 of 2024

Arising Out of PS. Case No.-95 Year-2023 Thana- SASARAM RAIL P.S. District- Gaya

Sanjay Baitha @ Sanjay Dhobi S/O Rajeshwar Baitha @ Kailash Baitha R/O
Village- Mohanbigha, P.S- Dehri sadar, Distt.- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vinod Kumar

For the Opposite Party/s : Mr.Tapeshwar Sharma

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

ORAL ORDER

2 21-09-2024 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 Rail Sasaram (Dehri) P.S. Case No. 95/2023 dated 09.06.2023 registered for the offences punishable u/s 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 307 litres of illicit country-made liquor is alleged to have recovered when the same was being unloaded from the train and the co-accused Rinku Kumar Gupta was apprehended who disclosed the name of the petitioner and other co-accused



persons.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. The petitioner is not named in the F.I.R. The name of the petitioner has sprung up in the confessional statement of the co-accused, Rinku Kumar Gupta. The other co-accused person has already been granted bail by this court *vide* order dated 25.08.2023 passed in Cr. Misc. No. 53381/2023. The petitioner has no concern with the alleged recovery. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 11.06.2024.

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 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, Gaya in connection



with Rail Sasaram (Dehri) P.S. Case No. 95/2023.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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