

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71856 of 2024

Arising Out of PS. Case No.-244 Year-2024 Thana- KUCHAIKOTE District- Gopalganj

Birendra Rai @ Raju S/o Sharda Nand @ Harihar Rai R/o vill - Baikunthpur
Kothi, P.S. - Bishunpura, Distt. - Kushinagar (U.P)

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sushil Kumar, Adv.

For the Opposite Party/s : Mr.Ram Anurag Singh, APP

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

ORAL ORDER

2 05-10-2024 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 Kochaikot P.S. Case No. 244 of 2024 dated 08.06.2024 registered for the offences punishable u/s 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 112.700 litres of illicit foreign and country made liquor were recovered from the E-rickshaw.

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. The petitioner is only the driver of the said vehicle and he has no



concern with the alleged recovery. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has no criminal antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 09.06.2024.

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, Gopalganj in connection with Kochaikote P.S. Case No. 244 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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