

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77690 of 2024

Arising Out of PS. Case No.-116 Year-2021 Thana- INDUSTRIAL District- Bhagalpur

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Rakesh Kumar S/O Subak Lal Chaurasia @ Shubhuk Lal Chaurasia R/O,
village- Maheshkhut, P.S- Maheshkhut , District- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Braj Bhusan Poddar

For the Opposite Party/s : Mr.Sanjay Kumar Sharma

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 18-12-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail in the present case registered for the offence under Sections 272, 273,188/34 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, there is recovery of 725.64 litres of illicit liquor.

4. Learned counsel for the petitioner submits that petitioner is neither the driver nor the owner of the vehicle. He further submits that the petitioner is ready to donate Rs. 25,000/- (Rupees Twenty Five Thousand Only) in some charitable organization without accepting his guilt. Petitioner is in jail since 08.09.2024.



5. Learned APP for the State has vehemently opposed the prayer of the petitioner.

6. Considering the facts and circumstances of the case and also considering the submission of the learned counsel for the petitioner, this application is allowed.

7. Accordingly, 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 the learned Exclusive Special Excise Judge-1st Bhagalpur/concerned Court below in connection with Industrial Area P.S. Case No.116 of 2021 subject to the condition that:-

(I). The petitioner shall deposit an amount of Rs. 25,000/- (Rupees Twenty Five Thousand Only) in Ramakrishna Mission Vidyapith, Deoghar, Jharkhand and produce the receipt of the same before the Court below. The bail bonds of the petitioner shall be accepted only after verifying the genuineness of the receipt produced by the petitioner.

8. This application stands allowed.

(Sandeep Kumar, J)

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