

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81026 of 2024

Arising Out of PS. Case No.-148 Year-2023 Thana- BACHHWARA District- Begusarai

Rahul Kumar S/O Baidyanath Ray Resident Of Village - Baghra, Ahladpur
Chowk, Ward No 06, P.S- Patory, Dist.- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shivjee Singh, Adv.

For the Opposite Party/s : Mr.Ramesh Chandra, APP

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

ORAL ORDER

2 04-12-2024 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 Bachhwara P.S. Case No. 148 of 2023 dated 11.05.2023 registered for the offences punishable u/ss 30(a), 32 and 41 of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 2698.92 litres of illicit foreign liquor was recovered from a pick-up van.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The name of the petitioner has transpired in this case only on the disclosure of the apprehended co-accused, Utpal



Kant Kumar. The petitioner is neither the owner nor 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 co-accused person has already been granted regular bail by this court vide order dated 20.07.2023 passed in Cr. Misc. No. 42725 of 2023. The petitioner has two criminal antecedents as stated in para 3 of the bail petition. The petitioner is in custody since 30.09.2024.

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, Begusarai in connection with Bachhwara P.S. Case No. 148 of 2023.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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