

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84982 of 2023

Arising Out of PS. Case No.-199 Year-2023 Thana- AMBA District- Aurangabad

Rahul Kumar @ Rahul Kumar Singh Son Of Santosh Singh Resident Of
Village - Jamua, P.S.- Kutumba , District- Aurangabad (BIHAR)

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramendra Kumar Singh

For the Opposite Party/s : Mr.Nityanand

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 09-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in a case registered
for the offence punishable under sections 30(a) of the Bihar
Prohibition and Excise Act.

Prosecution case relates to recovery of 86.40 litres of
illicit liquor from a car bearing Reg. No. DL-3CAB-9164.
Petitioner is alleged to be the driver of aforesaid vehicle.

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no
offence. He has no concern with the alleged recovery. The name
of the petitioner has been disclosed in this case by the
apprehended co-accused, namely, Abhishek Kumar Singh,
before the police, which has got no evidentiary value in the eye



of law. Neither the petitioner was arrested on spot nor any incriminating article has been recovered from his conscious possession. Similarly situated co-accused Anhishek Kumar Singh has already been granted bail vide order dated 02.11.2023, passed in Cr. Misc. No. 69317 of 2023 by this Court. Moreover, he is languishing in judicial custody since 09.10.2023.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Special Judge Excise No. 1, Aurangabad in connection with Amba P.S. Case No. 199 of 2023.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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