

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86378 of 2023

Arising Out of PS. Case No.-83 Year-2023 Thana- AAJAM NAGAR District- Katihar

Rajesh Rai @ Rajesh Ray Son Of Khokhai Rai R/O Village- Budheili, P.S.-
Pranpur, Dist.- Katihar

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Balkrishna Mishra
For the Opposite Party/s : Mr.Bishweshwar Ram

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 12-01-2024 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 40.64

litres of IMFL from a motorcycle bearing Reg. No. BR-

39D-0710. Driving license of petitioner was alleged to

be recovered from the place of seizure.

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 or with the vehicle in question. Neither the petitioner was arrested on spot nor any incriminating article has been recovered from his conscious possession. Moreover, the petitioner is languishing in judicial custody since 10.11.2023. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

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 Additional District and Sessions Judge-cum-Exclusive Excise Court No. II,



Katihar in connection with Azamnagar P.S. Case No. 83
of 2023.

(Sunil Kumar Panwar, J)

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