

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3261 of 2024

Arising Out of PS. Case No.-491 Year-2023 Thana- Excise P.S. District- Samastipur

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Rakesh Kumar SON OF YOGENDRA KUMAR RAI RESIDENT OF VIL-
LAGE- MOHANPUR, PS- MUFFASIL, DISTT- SAMASTIPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Kumar Singh

For the Opposite Party/s : Mr.Khurshid Anwar

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 31-01-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is in custody since 06.12.2023 in connection with Samastipur Sadar Excise P.S. Case No. 491 of 2023 registered for the offence punishable under Sections 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, there is recovery of 143.250 litres of illicit liquor in front of the house of the petitioner.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case merely on the basis of suspicion. He further submits that the petitioner has no concern with the alleged recovery of illicit liquor. Learned counsel for the petitioner undertakes to deposit a sum of Rs. 10,000/-



(Ten Thousand) in Ramkrishna Mission Sevashrama, Muzaffarpur without accepting his guilt. The petitioner has no criminal antecedents.

5. Learned Additional Public Prosecutor appearing on behalf of the State has vehemently opposed the prayer for bail.

6. Considering the facts and circumstances of the case and also the undertaking given by the petitioner, let the petitioner above named be released on bail, on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Court II, Samastipur in connection with Samastipur Sadar Excise P.S. Case No. 491 of 2023.

7. It is made clear that at the time of furnishing bail bonds, the petitioner will produce the receipt of depositing Rupees Ten Thousand in Ramkrishna Mission Sevashrama, Muzaffarpur. Failure to do so, the bail bonds of the petitioner shall not be accepted.

(Sandeep Kumar, J)

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