

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86007 of 2024

Arising Out of PS. Case No.-9 Year-2023 Thana- BUDDHACOLONY District- Patna

Rinku Kumar @ Rinku Mahto S/O Late Diwali Mahto Resident of A/P- Loha Singh ke makan me kirayadar, P.S- Kadamkuan, Distt.- Patna. P/A- Rasulpur, P.S- Punpun, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anuj Kumar, Adv.

For the Opposite Party/s : Mr.Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 09-01-2025 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 Special Case No. 291 of 2023 arising out of Budha Colony P.S. Case No. 09 of 2023 dated 17.01.2023 registered for the offences punishable u/s 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 70 litres of illicit country made liquor kept in a plastic sack allegedly thrown by the petitioner was recovered near the Diyara Lohapul.

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 was disclosed by local



people. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has no concern with the alleged recovery rather the recovery has been made from an open place which is accessible to anyone. The petitioner has two criminal antecedents as stated in para 3 of the bail petition. The petitioner is in custody since 27.09.2024.

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, Patna in connection with Special Case No. 291 of 2023 arising out of Budha Colony P.S. Case No. 09 of 2023.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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