

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89008 of 2024

Arising Out of PS. Case No.-254 Year-2024 Thana- BUXAR INDUSTRIAL District- Buxar

1. Rahul Kumar S/O Jitendra Yadav R/O Village- Majhariya, P.S- Buxar (Industrial Area), Distt.- Buxar.
2. Om Nath Kumar S/O Vishanu Ram R/O Village- Majhariya, P.S- Buxar (Industrial Area), Distt.- Buxar.

... .. Petitioners

Versus

The State of Bihar Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Amit Kumar Pandey

For the Opposite Party/s : Mr.Veena Kumari Jaiswal

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 17-02-2025 Heard learned counsel for the petitioners and learned A.P.P for the State.

2. Learned counsel for the petitioner submits that the petitioner no. 1 seek permission to withdraw the present application.

3. Permission is accorded.

4. Accordingly, the present application of the petitioner no. 1 is dismissed as withdrawn.

5. The petitioner has preferred this application for grant of regular bail in connection with Buxar (Industrial Area) P.S. Case No. 254/2024 registered for the offences punishable u/s 30(a) of the Bihar Prohibition and Excise Act.

6. As per the prosecution case, total 290.52 litres of illicit foreign liquor was recovered from the motorcycle and bush.



7. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. The petitioner is not the owner of the said motorcycle. The petitioner has no concern with the alleged recovery. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 01.11.2024.

8. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

9. 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, Buxar, in connection with Buxar (Industrial Area) P.S. Case No. 254/2024.

10. The application stands allowed.

(Chandra Prakash Singh, J)

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