

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.54427 of 2016

Arising Out of PS.Case No. -52 Year- 2016 Thana -SAHJAHANPUR District- PATNA

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Rakesh Kumar @ Rakesh Singh, Son of Anil Singh, Resident of Village-
Chakraja, P.S.- Shahjahanpur, District- Patna (Bihar)..... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Rakesh Kumar, Advocate

For the Opposite Party/s : Mr. Md. Fahimuddin, APP

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 21-12-2016

Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Shahjahanpur
P.S. Case No. 52 of 2016 registered for the offences punishable
under Sections 272, 273 of the Indian Penal Code and Sections
47 (a), 57 of Bihar Excise (Amended) Act, 2016 and Section 30
(a) of Bihar Liquor Prohibition and Excise Act, 2016.

Allegedly, the petitioner has kept huge quantity of foreign
liquor in the room of Laxman Prasad which was used for keeping
husk.

Submission is of false implication and that nothing has
been recovered from conscious possession of the petitioner, the
petitioner has been arrested from his house and he is in custody
since 13.10.2016. The Police has wrongly stated that the petitioner
confessed that he has kept the liquor to sale.



Learned APP opposes the prayer of bail.

In the facts and circumstances stated above, considering the period of detention, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Patna City, Patna in connection with Shahjahanpur P.S. Case No. 52 of 2016, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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