

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.69814 of 2018

Arising Out of PS. Case No.-154 Year-2018 Thana- BIDUPUR District- Vaishali

Rahul Kumar, son of Jitender Singh, resident of Bishanpur Rajkhand, Police Station- Bidupur, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dilip Kumar Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

2/ 28-11-2018

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner seeks bail in **Bidupur P.S. Case No.154 of 2018** instituted for the offence under Section(s) 30(a) of Bihar Prohibition and Excise Act, 2016.

Counsel for the petitioner submits that petitioner has clean antecedents. He was twice granted privilege of provisional bail by co-ordinate Bench of this Court. He has surrendered as per direction of this Court contained in the order dated 14.08.2018 passed in Cr. Misc.41637 of 2018. Petitioner was directed by this Court by order dated 09.10.2018 passed in Cr. Misc. No.41637 of 2018 to file fresh bail application before the Court below. The petitioner filed fresh bail application in the Court below which was rejected by the impugned order dated 25.10.2018.



It is alleged in the written report that police found one Tata Sumo vehicle parked in front of house of Kundan Singh. The four persons started running on seeing the police party. The police apprehended this petitioner and another person, namely, Ravi Kumar. The apprehended person disclosed the name of Kundan Singh, who managed to run away.

As per seizure list, 204 litres Beer has been recovered from the house and lavatory of Kundan Singh.

Counsel for the petitioner further submits that Kundan Singh has already been granted regular bail by co-ordinate Bench of this Court by order dated 25.07.2018 passed in Cr. Misc. No.45261 of 2018.

In the facts and circumstances of the case, prayer of the petitioner for grant of bail is allowed. 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 the **Additional Sessions Judge 2nd cum Special Judge, Excise, Vaishali at Hajipur**, in connection with **Bidupur P.S. Case No.154 of 2018**, subject to the condition that both the bailors shall be close relative of the petitioner.

(Sanjay Priya, J)

J. Alam/-

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