

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23635 of 2018

Arising Out of PS.Case No. -47 Year- 2018 Thana -KUCHAIKOTE District- GOPALGANJ

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Rakesh Kumar Sharma @ Rinku, Son of Anil Sharma, resident of village
Bali, Belchi, P.S.- Chandi, District- Nalanda..... Petitioner

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner : Mr. Arvind Kumar Sharma, Advocate

For the Opposite Party : Mr. Md. Sufiyan, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 23-05-2018 Heard learned counsel for the petitioner and learned APP
for the State.

Petitioner is an accused in a case registered for offence
under sections 30(a) (b) (c), 38, 41(a)(b) of the Bihar Excise Act,
2016.

As per the prosecution story, 2344 liters wine was
recovered from a truck. Learned counsel for the petitioner claims
parity with co-driver Raj Kumar, who has already been granted
bail vide order dated 15.5.2018, passed in Cr Misc No.
25077/2018 the petitioner as well as said co-accused are drivers of
the said vehicle. Petitioner had no knowledge of transportation of
wine from the aforesaid truck. Prior to lodging of this case,
petitioner is a man of clean antecedent. Petitioner is in custody in
connection with this case since 14.2.2018. Charge sheet has also



been submitted in the case.

In the facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Additional Sessions Judge II, cum special judge, Gopalganj in Kunchaykot Police Station Case No. 47 of 2018 on the following conditions:-

(a) One of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner.

(b) He/she will be well represented on each date and if he/she fails to do so on two consecutive dates, his/her bail will be liable to be cancelled.

(Madhuresh Prasad, J)

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