

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.10518 of 2019**

Arising Out of PS. Case No.-189 Year-2018 Thana- KHIJARSARAI District- Gaya

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Rakesh Kumar @ Rakesh Saw, aged about 29 years, Male, S/o Late Mahabir Saw, village-Pachmahla, P.S-Khizarsarai, district- Gaya

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Anil Kumar Saxena, Adv.

For the Opposite Party/s : Mr.Amitesh Kumar (APP)

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**CORAM: HONOURABLE MR. JUSTICE S. KUMAR**

ORAL ORDER

2      21-02-2019                      Heard learned counsel for petitioner and learned counsel for the State.

Petitioner, who is in custody, seeks bail in connection with Khizersarai P.S. Case No. 189 of 2018, registered for the offences punishable under Sections 30(a) Bihar Prohibition and Excise Act, 2016.

Allegation is recovery of 4.875 liters English wine from the shop of the petitioner.

It has been submitted on behalf of the petitioner that he is innocent and has committed no offence. He has been falsely implicated in this case. Nothing has been recovered from his possession. Petitioner is in custody since 11.01.2019.



Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Excise Judge, Gaya, in connection with Khizersarai P.S. Case No. 189 of 2018, subject to conditions:

- (1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2) Petitioner shall co-operate in the trial and shall be represented on each and every date fixed by the court.
- (3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.
- (4) If the petitioner is found involved in similar nature of offences, after his release on bail the trial court shall take steps to cancel his bail bonds.

**(S. Kumar, J)**

Rajiv/-

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