

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14528 of 2019

Arising Out of PS. Case No.-20 Year-2019 Thana- SAUR BAZAR District- Saharsa

RAHUL KUMAR, aged about 22 years, (M) Son of Vidyanand Yadav
Resident of Village - Nahalpatti Ward No. 7, P.S. and District - Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raja Surendra Mohan

For the Opposite Party/s : Mr.Arun Kumar

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 08-03-2019 Heard learned counsel for the parties.

Let the defect(s) as pointed out by the Stamp Reporter
be ignored for the present.

Petitioner seeks bail in **Sourbazar (Patarfghat O.P.)**

P.S. Case No. 20 of 2019 registered for the offence punishable
under Section 37 (C) of the Bihar Prohibition and Excise Act,
2016.

Allegation against petitioner is creating nuisance
publicly after consuming alcohol which was confirmed in the
breath analyser report.

It has been submitted on behalf of the petitioner that he
is innocent and has been falsely implicated in this case. No



incriminating material has been recovered from the possession of the petitioner. He is in custody since 13.01.2019.

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/- with two sureties of the like amount each to the satisfaction of learned **Special Judge, Excise Act**, in connection with **Sourbazar (Patarghat O.P.) P.S. Case No. 20 of 2019**, with following 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 properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(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 offence, after his release on bail, the trial court shall take steps to cancel his bail bond.

(S. Kumar, J)

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