

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21700 of 2019

Arising Out of PS. Case No.-85 Year-2019 Thana- NARPATGANJ District- Araria

RAJESH KUMAR Son of Late Krishna Ballav Yadav, Resident of Village-
Khaira, Koshkapur, Ward No.11, P.S-Narpatganj, District-Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramesh Kumar Singh

For the Opposite Party/s : Mr.Pradeep Narain Kumar

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 09-04-2019 Heard learned counsel for the petitioner and
learned APP for the State.

Petitioner seeks bail in connection with Special
Case No. 203 of 2019, arising out of Narpatganj P.S. Case
No. 85 of 2019 for offences punishable under Sections 30 (a)
of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, as lodged by the police
personnel, is that during vehicle checking a three wheeler
was intercepted and the petitioner and another co-accused,
who was the driver, namely, Sonu Kumar were apprehended.
On search, 97.920 litres of illicit liquor was recovered inside
the three wheeler. Accordingly, a seizure-list was prepared.

It has been submitted by the learned counsel for
the petitioner that he is innocent, bears no criminal history



and has been falsely implicated in the aforesaid case. He submits that nothing has been recovered from the conscious possession of the petitioner, the illicit liquor did not belong to him, he was just a passenger of the said three wheeler and he is languishing in judicial custody since 12.02.2019.

However, learned APP for the State opposes the prayer for bail.

Considering the nature of allegations and the materials on record as well as the period of custody, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Addl. Sessions Judge cum Special Judge, Araria, in connection with Special Case No. 203 of 2019, arising out of Narpatganj P.S. Case No. 85 of 2019, subject to the following conditions :

1. One of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.
2. Petitioner will appear before the learned court below during trial as and when required and failure



to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J)

Rajesh/-

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