

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21189 of 2019

Arising Out of PS. Case No.-22 Year-2019 Thana- PUNAURA District- Sitamarhi

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Rakesh Kumar, Son of Braj Nandan Prasad Yadav @ Brij Nandan Prasad Yadav, Resident of Village- Fatahpur Girmishani, P.S.- Punaura Sitamarhi, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Satyendra Narayan Singh, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

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

Petitioner, who is in custody, seeks bail in connection with Punaura P.S. Case No. 22 of 2019 registered for the offences punishable under Sections 30(a) of the Bihar Prohibition and Excise Act, 2016.

Allegation is that informant who is a police officer, received a confidential information that petitioner is involved in trade of illicit liquor and upon getting said information the house of the petitioner was raided and from the open field outside the house of petitioner 1050.285 litres of Nepali as well as foreign liquor was recovered.

It has been submitted on behalf of the petitioner that



petitioner has not committed any offence. Nothing was recovered from conscious possession of petitioner. So called recovery was made from outside in open space. Petitioner has no criminal antecedent and he is in custody since 11.02.2019.

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 ADJ-II- cum- Spl. Judge, Excise Act, Sitamarhi, in connection with Punaura P.S. Case No. 22 of 2019, subject to the conditions that:-

(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 bond.

(S. Kumar, J)

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