

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21734 of 2019

Arising Out of PS. Case No.-12 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Sitamarhi

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RAHUL KUMAR Son of Raghvendra Rai @ Raghvendra Kumar Ray
Resident of Village- Narayanpur Ward No. 10, P.S.- Pupri, District- Sitamarhi.
... .. Petitioner

Versus

The State of Bihar ... Opposite Party

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Appearance :

For the Petitioner : Mr.Devendra Kumar, Advocate
For the Opposite Party : Mr.Amarendra Prasad, Addl Public Prosecutor

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

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

learned counsel appearing on behalf of the State.

Petitioner is languishing in judicial custody since
21.02.2019 in connection with G.O.Case No. 12 of 2019 for the
offence alleged under Section 30(A) of the Bihar Prohibition
and Excise Act, 2016.

The prosecution case, as lodged by the police
personnel is that the petitioner along with co-accused was
apprehended carrying 27 liters of Nepali Saufi wine.
Accordingly, seizure list was prepared.

It has been submitted by the learned counsel for the
petitioner that he is innocent, not named in the FIR and the
petitioner cannot be attributed to the offence so committed. He
further submits that the petitioner has been sufficiently punished
and is languishing in judicial custody since 21.2.2019 and
undertakes to co-operate in the investigation and not to tamper



with the prosecution witnesses.

However, the learned Additional Public Prosecutor for the State opposes the prayer for bail.

Considering the nature of allegations and the materials on record coupled with the fact that the petitioner does not bear any criminal antecedent as stated in paragraph 3 of the bail application, let the petitioner, above named be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with G.O. Case No. 12 of 2019 to the satisfaction of learned Additional Sessions Judge II cum Special Judge (Excise Act) Sitamarhi subject to the condition that 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.

(Nilu Agrawal, J)

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