

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30083 of 2019

Arising Out of PS. Case No.-486 Year-2018 Thana- KHAJEKALA District- Patna

Nirdosh Kumar, Son of Sachidanand Rai @ Sachchidanand Rai, Resident of
Village- Mitanghat, P.S.- Khajekalan, District- Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Anish Chandra, Advocate
For the Opposite Party : Mr. Ajit Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 23-05-2019 Heard learned counsel for the petitioner and
learned counsel for the State.

The petitioner seeks bail in connection with
Khajekalan P.S. Case No.486 of 2018 registered under Section
30(a) of the Bihar Prohibition and Excise Act, 2018.

It is contended by the learned counsel for the
petitioner that save and except the confession made by one
Subodh Kumar from whose possession 360 litres of illicit liquor
was recovered, there is no other material to connect the
petitioner with the offence alleged. The main accused Subodh
Kumar from whose possession the recovery of illicit liquor was
made has already been granted bail by a Bench of this Court
vide order dated 15.02.2019 passed in Cr. Misc. No.9066 of
2019.



Learned counsel appearing for the State submitted that said Subodh Kumar from whose possession the illicit liquor has been recovered had confessed in his statement that he was carrying liquor at the instance of the petitioner, one Arbind Kumar, Sudamaji, Sanjay Kumar and Subodh Kumar.

Be that as it may, since there is no recovery from the possession of the petitioner and he is in custody since 14.03.2019 and the person from whom the illicit liquor has been recovered has already been granted bail, the petitioner is directed to be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand only) with two sureties of the like amount each to the satisfaction of learned Special Judge (Excise Act), Patna in connection with Khajekalan P.S. Case No.486 of 2018 subject to the following conditions:-

- (a) that the petitioner shall attend court in accordance with the conditions of the bond executed;
- (b) that the petitioner shall not commit an offence similar to the offence of the present case; and
- (c) that the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court



or to any police officer or tamper with the evidence.

(Ashwani Kumar Singh, J.)

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