

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 78856 of 2019

Arising Out of PS. Case No.-618 Year-2019 Thana- FATUA District- Patna

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KUNAL KUMAR S/o Mohan Prasad R/o village- Dushadhi Pakari, Hanuman
Nagar, P.S.- Kankarbagh, District- Patna

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Jha
For the Opposite Party/s : Ms.Rita Verma

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

3 12-12-2019 Heard learned counsel for the petitioner and the learned
APP for the State.

The petitioner seeks bail in Special Case No 8025 of 2019 arising out of Fatuha Police Station (for brevity *PS*) Case No 618 of 2019 instituted for the offence under Section(s) 30 (a), 37 (c) of Bihar Excise and Prohibition Act, 2016.

Having no criminal antecedent, the petitioner is in custody since 07.09.2019. Allegation is of recovery of 163 liters of country made liquor. Learned counsel for the petitioner submits that petitioner was merely a driver having no knowledge about the contents of the Tempo. The submission is of false implication and that the seizure is not in accordance with law.



Considering the aforesaid, 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 to the satisfaction of the Special Judge, Excise, Patna in connection with Special Case No 8025 of 2019 arising out of Fatuha PS Case No 618 of 2019 subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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