

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 74865 of 2019

Arising Out of PS. Case No.-188 Year-2018 Thana- BALIYA District- Begusarai

Rahul Kumar aged about 20 years, Male, Son of Rambabu Tanti Resident of
Village- Khamhar, P.S.- Muffasil, Dist- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sabal Kumar Jha, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 20-11-2019 Heard learned counsel for the parties.

The petitioner apprehends his arrest in Balia P.S. Case
No. 188 of 2018 registered for the offence under Sections 30(a),
32, 41(1) of Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that it is a
case of recovery of total 1650 litres of Indian make foreign
liquor from a maize field, whereas petitioner is not named in the
F.I.R. and his name has surfaced during course of investigation.
Petitioner's name has come only due to his conversation on
mobile phone with co-accused Mukesh Kumar and except this
fact, there is nothing against the petitioner nor anything has
been recovered from his conscious possession. He further
submits that the petitioner is having clean antecedent.

Considering the aforesaid facts and circumstances as



well as nature of accusation, in the event of arrest or surrender within a period of six weeks from today, let the 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 Addl. Sessions Judge 2nd cum Special Judge Excise, Begusarai in connection with Balia P.S. Case No. 188 of 2018 on the following conditions:

(1) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present, as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail-bond shall be cancelled by the Court below.

(2) If the petitioner tempers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J.)

anay

U		T	
---	--	---	--

