

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75262 of 2019

Arising Out of PS. Case No.-923 Year-2019 Thana- KOTWALI District- Patna

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Arun Kumar, S/o Rupdev Singh, resident of Nasopur, P.S.- Naubatpur,
District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Suresh Prasad, Advocate
Mr. Anurag Pandey, Advocate
For the Opposite Party/s : Mr. Nand Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date : 26-11-2019

Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Kotwali PS Case No.923 of 2019 dated 16.10.2019 instituted
under Sections 279, 353 of the Indian Penal Code and 30(a),
36(1) and (2) of the Bihar Prohibition and Excise Act, 2016.

3. The petitioner was the driver of the tempo from
which ten litres illicit liquor was recovered.

4. Learned counsel for the petitioner submitted that he
was tempo driver and two passengers he was carrying ran away
when the police came and from their bag ten litres liquor was
recovered of which neither he had any knowledge nor
connection. It was submitted that he is in custody since
16.10.2019.

5. Learned APP submitted that from the vehicle of the



petitioner illicit liquor was recovered.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bond of Rs.25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of the Special Judge, Excise, Patna, in Special Case No.9210 of 2019 arising out of Kotwali P.S. Case No.923 of 2019, subject to the conditions (i) that one of the bailors shall be close relative of the petitioner and (ii) that the petitioner and the bailors shall execute bond with regard to good behaviour of the petitioner. The petitioner shall also give an undertaking to the Court that he shall not indulge in any criminal activity. Any violation of the terms and conditions of the bonds or the undertaking shall lead to cancellation of his bail bonds. The petitioner shall cooperate in the case and be present before the Court on each and every date. Failure to cooperate or being absent on two consecutive dates, without sufficient cause, shall also lead to cancellation of his bail bonds.

7. The application stands disposed off.

(Ahsanuddin Amanullah, J)

J. Alam/-

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