

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78629 of 2019

Arising Out of PS. Case No.-400 Year-2019 Thana- FALKA District- Katihar

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RUPESH KUMAR S/o Bihari Mandal Resident of Bhaiya Tola, P.S.- Kursela,
Distt.- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Singh

For the Opposite Party/s : Mr.Ram Bachan Singh

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 03-12-2019 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

The petitioner in the present case is seeking regular bail in connection with Falka P.S. Case No. 400 of 2019 registered under Section 30(a) of Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that the petitioner happened to be the driver of the Tempo and the liquor seized did not belong to the petitioner, however, he is in custody since 17.10.2019.

Learned A.P.P. for the State has opposed the prayer for bail.

Considering the facts and circumstances of the



case wherein the allegation is that this petitioner happened to be the driver of the Tempo in which 65 liters of illicit liquors were being transported and the petitioner is in custody since 17.10.2019, let the above-named petitioner be released on bail after completing of investigation in the case on furnishing bail bond of Rs. 25,000/- (Rupees Fifteen Thousand only) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II – cum – Special Judge, Excise, Katihar, in connection with Falka P.S. Case No. 400 of 2019, subject to the condition as laid down under Section 437(3) Cr.P.C. as under:

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person 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.



Considering the age of the petitioner being 22 years only, this court directs that one of the bailors would be a family member of the petitioner having no criminal antecedent.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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