

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6467 of 2020

Arising Out of PS. Case No.-273 Year-2019 Thana- BAIKUNTHPUR District- Gopalganj

Rajesh Kumar, (Male), aged about 29 years, Son of - Shambhu Singh @ Shambhu Kunwar Resident of Village - Vijulpur, Sirsa, Police Station - Baikunthpur, District - Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Lokesh Kumar Singh, Advocate
For the State : Mr. Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date : 02-03-2020

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

2. The petitioner apprehends arrest in connection with Baikunthpur PS Case No. 273 of 2019 dated 19.10.2019 instituted under Sections 272/273 of the Indian Penal Code and 30 (a) of the Bihar Prohibition and Excise Act, 2016.

3. The petitioner has been made an accused in the case on the basis of the statement made by co-accused who was caught with 5 litres of illicit country made liquor and he disclosed that he bought the same from the petitioner.

4. Learned counsel for the petitioner submitted that he has no connection either with the person from whom liquor



was seized or any such type of illegal dealing. It was submitted that he has no other criminal antecedent and no recovery has been made even from his house.

5. Learned APP submitted that the person who has been caught with liquor has bought the same from the petitioner which indicates that the petitioner was dealing in such business.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of the IInd Additional Sessions Judge-cum-Special Judge (Excise), Gopalganj in Baikunthpur PS Case No. 273 of 2019, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973. One of the bailors shall be a close relative of the petitioner. 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 in the aforementioned terms.

(Ahsanuddin Amanullah, J)

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