

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23155 of 2020**

Arising Out of PS. Case No.-35 Year-2020 Thana- DARBHANGA SADAR District-
Darbhanga

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RAJAN KUMAR S/o Binod Thakur @ Binod Kumar Thakur Resident of
Village-Nawada, Gangiya Parmanandpur, P.S.-Katra, District-Muzaffarpur.
... .. Petitioner

Versus

THE STATE OF BIHAR ... Opposite Party

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Appearance :

For the Petitioner : Mr.Baidya Nath Thakur, Advocate
For the Opposite Party : Mr. Addl Public Prosecutor

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 08-09-2020 Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor representing the State.

The petitioner seeks bail in a case registered for the
offence punishable under section 30a of the Bihar Prohibition
and Excise Act.

Prosecution's case, in brief, is that the police during
patrolling duty intercepted a Maruti Suzuki and recovered
117.36 liters of foreign liquor, petitioner is said to be the driver
of the said vehicle and he was arrested on the spot.

Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in this case. He submits
that nothing has been recovered from the possession of the
petitioner and the petitioner is neither the owner of the vehicle
as such he was not aware of the consignment, thus, he is no way
related with the said recovery. Petitioner has got no criminal



antecedent and he is in custody since 24.1.2020.

In the facts of the case, prayer for bail of the petitioner is allowed. Let the petitioner mentioned above 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 Additional Sessions Judge II cum Special Judge, Excise Act, Darbhanga in Sadar (Mabbi OP) Police Station Case No. 35/2020, on the following conditions:-

(1) Petitioner shall co-operate 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/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers 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)

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