

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS NO. 22099 of 2020.

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Kailash Kumar, son of Musafir Rai, resident of Village- Mohamadpur, P.S. – Motipur,
 District – Muzaffarpur.

.....Petitioner

Versus

The State of Bihar

.....Opposite Parties

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Appearance:

For the Petitioner/s : Mr. Anish Kumar, Adv.

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

02. 18.08.2020.

Heard Mr. Anish Kumar, learned counsel for the petitioner and
 Mr. Bhanu Pratap Singh, learned counsel for the State.

The petitioner, who is in custody since 02.02.2020 seeks bail in
 connection with Motipur P.S. Case No. 51/2020 instituted for the
 offences under Sections 272 and 273 of the Indian Penal Code and
 Sections 30(A)/41(1)(2) of Bihar Excise Amendment Act.

It appears that a raid was conducted in the house of one Ajay
 Rai on the tip-off that spirit is being unloaded in his house. Some of
 the accused had to flee away but the petitioner was



arrested. From the house of aforesaid Ajay Rai 1190 litres of liquor was recovered. One motorcycle was also found near the house of said Ajay Rai along with 35 litres of liquor. The recovered motorcycle is said to be of the petitioner.

Learned counsel for the petitioner submits that entire accusation in the First Information Report is false. The petitioner, if released on bail, would not be in a position to tamper with the evidence as he is a poor person. He is stated to be in custody since 04.03.2020 and bears good character.

Considering the afore-stated facts, the petitioner, above name, is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Rs. Ten Thousand) with two sureties of like amount each to the satisfaction of learned Special Judge, Excise, Muzaffarpur, in connection with Motipur P.S. Case No. 51/2020.

(Ashutosh Kumar, J)

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