

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)  
CRIMINAL MISCELLANEOUS No.22201 of 2020**

Arising Out of PS. Case No.-63 Year-2020 Thana- KHODAWANDPUR District- Begusarai

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Rahul Kumar, S/o Sri Ram Kumar @ Sri Ram Kumar Verma, Resident of  
Village- Chaurahi, P.S.- Khodawandpur Chaurahi O.P., Distt- Begusarai.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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**Appearance :**

For the Petitioner/s : Mr.Kumar Binode Bariar, Advocate

For the Opposite Party/s : Mr.Mukteshwar Dayal, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD  
ORAL ORDER**

2      21-08-2020              Learned counsel for the petitioner undertakes to  
  
remove all the defects within four weeks after start of normal  
  
functioning of the Court.

Heard learned counsel for the petitioner and learned  
  
A.P.P. for the State.

Petitioner in the present case is seeking regular bail in  
  
connection with Khodawandpur P.S. Case No. 63 of 2020  
  
registered for the offences under Sections 272/273 of the Indian  
  
Penal Code and Section 30(a) of Bihar Prohibition and Excise  
  
Act, 2016.

Learned counsel for the petitioner submits that the  
  
petitioner is in judicial custody since 18.03.2020 for the alleged  
  
recovery of 40.125 litres of illicit liquor from a car. The



petitioner has no criminal antecedent. It is further submitted that the petitioner is merely a driver and was not knowing about the loaded articles in the car. It is also submitted that investigation against the petitioner is complete.

Learned A.P.P. for the State has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case, wherein the petitioner has no criminal antecedent and has remained in custody since 18.03.2020, the investigation against him is complete and further incarceration of the petitioner in jail is not likely to come in aid of investigation or help the prosecution, let the petitioner above named be released on bail in connection with Khodawandpur P.S. Case No. 63 of 2020 on furnishing of bail bonds of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction learned 2<sup>nd</sup> Additional Sessions Judge– cum – Special Judge, Excise, Begusarai, subject to the conditions as laid down under Section 437(3) of the 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.

And further condition that he will abide by and observe the guidelines and directives of the Government of India and the State Government with regard to COVID-19 Pandemic during the lockdown period. The authorities concerned shall take appropriate steps to ensure such observance prior to and after release of the petitioner.

This application stands disposed off.

**(Rajeev Ranjan Prasad, J)**

vats/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

