

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21683 of 2020

Arising Out of PS. Case No.-261 Year-2019 Thana- MADHUBAN District- East Champaran

Rekash Kumar, aged about 24 years (Male) S/O Shivji Sah Resident of
Village-Dhobauliya, P.S.-Madhuban, District-East Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Krishna Kant Singh, Advocate
For the Opposite Party : Mr.Suresh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 14-08-2020 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor appearing on behalf of the State.

The petitioner is apprehending arrest in connection
with Madhuban P.S. Case No. 261 of 2019 for offences under
Sections 272 and 273 of the Indian Penal Code and Section
30(A) of the Bihar Prohibition and Excise Act, 2016

Learned counsel appearing on behalf of the petitioner
would submit that the petitioner has no criminal antecedent.

In the instant case 5 ¼ litres of country made liquor
was seized. It is alleged that the motorcycle carrying liquor met
with accident and thereafter the petitioner fled away. The name
of the petitioner was disclosed by a person Vinay Kumar, who
was apprehended in this case where 5 ¼ litres of country made
liquor was seized.



Learned counsel for the petitioner would submit that no one has seen the petitioner involved in trade of liquor nor he was seen fleeing away when the alleged motorcycle met with accident.

Considering the fact that the petitioner has no criminal antecedent and nothing was recovered from possession of the petitioner, the Court is inclined to grant bail to him subject to the condition that the petitioner has to deposit Rs.25,000/- in cash. On depositing the amount of Rs.25,000/-, petitioner, above-named, in the event of arrest or surrender within one month from today, shall be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of the Special Judge, Excise Act, East Champaran, Motihari in connection with Madhuban P.S. Case No. 261 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Deposit of Rs.25,000/- (Rupees twenty five thousand) shall abide by final outcome of the instant criminal case.

(Anil Kumar Upadhyay, J)

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