

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 78168 of 2019

Arising Out of PS. Case No.-132 Year-2019 Thana- KARJA District- Muzaffarpur

KUNDAN KUMAR Son of Ram Pukar Rai Resident of Village-Raksa, Police Station-Karja in the district of Muzaffarpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

For the Petitioner/s : Mr.Rajeev Ranjan

For the Opposite Party/s : Mr.Nand Kumar

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD
ORAL ORDER

3 13-01-2020 Heard learned counsel for the petitioner and the learned APP for the State.

The petitioner seeks bail in Karja Police Station (for brevity, *PS*) Case No 132 of 2019 dated 24.05.2019, GR No 963 of 2019 instituted for the offence punishable under Section (s) 30 (a), 38 of Bihar Prohibition and Excise Act, 2016.

Upon secret information regarding some liquor hidden for transportation, the informant (Assistant Sub Inspector of Police) went to make enquiry wherein 129.750 liters foreign liquor is said to have been recovered from the roadside near the petitioner's house. It is submitted by petitioner's counsel that the petitioner has not been apprehended on the spot. No recovery from the possession or house of the petitioner has been made and merely on the basis of suspicion, he has been implicated in this case. He is in custody since 05.09.2019. In



the earlier two cases, as per details in paragraph 3, the petitioner is already on bail.

Learned APP for the State opposed the prayer for bail.

Considering the aforesaid, let the petitioner, above named, be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Special Judge, Excise, Muzaffarpur in Karja PS Case No 132 of 2019 dated 24.05.2019, GR No 963 of 2019 with subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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