

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71218 of 2019

Arising Out of PS. Case No.-818 Year-2019 Thana- BIHTA District- Patna

AWADHESH RAI @ AWADHESH KUMAR Son of Dilip Rai @ Dilip Kumar Rai Resident of Mohalla - Gorya Ashthan, Jamunipur, P.S.- Maner, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar

For the Opposite Party/s : Mr.Shantanu Kumar

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 14-01-2020 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

The petitioner in the present case is seeking regular bail in connection with Special Case No. 7656 of 2019 arising out of Bihta P.S. Case No. 818 of 2019 registered under Sections 30(a) of the Bihar Prohibition & Excise Act, 2016.

Learned counsel for the petitioner submits that the alleged illicit liquor has been recovered from the Tempo and not from the petitioner. Learned counsel submits that petitioner has remain in custody over three months having no criminal antecedent.

Learned A.P.P. for the State has opposed the prayer for bail.

Considering the facts and circumstances of the case wherein it is the submission of learned counsel for the petitioner that the alleged illicit liquor has been recovered from the Tempo and not from the conscious possession of the petitioner, the petitioner has no criminal antecedent and has remain in custody



over three months, let the above-named petitioner be released on bail furnishing bail bond of Rs. 15,000/- (Rupees Fifteen Thousand only) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Patna, in connection with Special Case No. 7656 of 2019 arising out of Bihta P.S. Case No. 818 of 2019, subject to the condition as laid down under Section 437(3) 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.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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