

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 80796 of 2019

Arising Out of PS Case No.-477 Year-2019 Thana- BODHGAYA District- Gaya

Kamlesh Kumar, aged about 21 years, Male, Son of Krishnadev Yadav,
Resident of Village- Hiri Bagicha, P.S.- Mohanpur, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Mishra, Advocate

For the State : Mr. Mritunjay Kumar Nirala, Advocate

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL JUDGMENT

Date : 07-01-2020

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

2. The petitioner seeks bail in connection with Bodh
Gaya PS Case No. 477 of 2019 dated 27.10.2019 instituted under
Section 30 (a) of the Bihar Prohibition and Excise Act, 2016.

3. It is alleged that from the plastic bag carried by the
petitioner on his motorcycle 23.5 litres of Beer has been
recovered.

4. Learned counsel for the petitioner submitted that
he has no any criminal antecedent and the allegation is false and
such recovery has not been from his conscious possession. It was
further submitted that the petitioner is in custody since
28.10.2019.

5. Learned APP submitted that there has been
recovery of 23.5 litres of Beer from the petitioner.



6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail on furnishing bail bonds of Rs. 25,000/- (Twenty Five thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge Excise, Gaya in Bodh Gaya PS Case No. 477 of 2019.

7. One of the bailors shall be a close relative of the petitioner. The petitioner and the bailors shall execute bond with regard to good behaviour of the petitioner. The petitioner shall also give an undertaking to the Court that he shall not indulge in any criminal activity. Any violation of the terms and conditions of the bonds or the undertaking shall lead to cancellation of his bail bonds. The petitioner shall cooperate in the case and be present before the Court on each and every date. Failure to cooperate or appear on two consecutive dates, without sufficient cause, shall also lead to cancellation of his bail bonds.

8. The application stands disposed off.

(Ahsanuddin Amanullah, J.)

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