

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.608 of 2020

Arising Out of PS. Case No.-40 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- East Champaran

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Rakesh Kumar Son of Inerdeo Sahani Resident of Village- Gadariya, P.S.-
Turkauliya, District- East Champaran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vijay Shankar Shrivastava
For the Opposite Party/s : Mr.Tapeshwar Sharma

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 05-03-2020 Heard counsel for the parties.

The petitioner seeks bail in **Excise Case No. 40 of 2019**, registered for the offences punishable under Sections 30(a), 38(2) of the Bihar Prohibition and Excise Act, 2016.

541.360 litres of liquor and spirit are alleged to have been recovered from the house of petitioner.

It is submitted that petitioner has falsely been implicated in this case. Nothing has been recovered from conscious possession of this petitioner. There is no allegation of tampering with the evidence against this petitioner. Charge-sheet has already been submitted. Petitioner is in custody since 24.10.2019.

Considering the facts aforesaid, the petitioner above-



named, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000 (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned **Additional Sessions Judge 9th-cum-Special Judge Excise, East Champaran, Motihari** in connection with **Excise Case No. 40 of 2019**, subject to the conditions:-

(i) The petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(ii) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Prabhat Kumar Singh, J)

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