

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85389 of 2019

Arising Out of PS. Case No.-378 Year-2019 Thana- GAIGHAT District- Muzaffarpur

Rahul Kumar, aged about 22 years, Son of Abhay Mandal @ Abhay Kumar Mandal, Resident of Village - Jayadih, P.S.- Gaighat, Distt - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajive Ranjan Singh, Adv.
For the Opposite Party/s : Mr.Md. Shakir Ahmad (APP)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 07-01-2020 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in a case registered for the offences punishable under Sections 272, 273 of the Indian Penal Code and Sections 30(a) of the Bihar Prohibition and Excise Act, 2016.

Allegation against petitioner is recovery of 82.650 liters of illicit foreign from the vehicle on which he was sitting.

It has been submitted on behalf of the petitioner that he is innocent and has committed no offence. He has been falsely implicated in this case. Nothing was recovered from his conscious possession and the vehicle from which the illicit liquor was recovered does not belong to him. He has no criminal antecedent and is in custody since 22.10.2019.



Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Muzaffarpur, in connection with Gaighat P.S. Case No. 378 of 2019, subject to conditions:

- (1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2) Petitioner shall co-operate in the trial and shall be represented on each and every date fixed by the court.
- (3) 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.
- (4) If the petitioner is found involved in similar nature of offences, after his release on bail the trial court shall take steps to cancel his bail bonds.

(S. Kumar, J)

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