

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13095 of 2021**

Arising Out of PS. Case No.-175 Year-2020 Thana- LALGANJ District- Vaishali

Rakesh Singh @ Rakesh Kumar Singh Son of Late Bishwanath Singh,
resident of village- Rasulpur, P.S.- Lalganj, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shyameshwar Kumar Singh, Advocate
For the Opposite Party/s : Mr. Nawal Kishore Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER**

2 09-07-2021 In view of sudden resurgence of COVID–19 infection

there is limited functioning of the High Court and therefore the

matter has been listed for consideration through virtual mode.

Heard learned counsel for the petitioner and the
learned APP for the State.

This Court would expect that the petitioner’s Counsel
would honour his undertaking in the instant proceedings
regarding supply of requisite court fee etc. within two weeks
from the date he is called upon to do so by the office.

Petitioner seeks bail in Lalganj P.S. Case No. 175 of
2020 registered for offence punishable under sections 30(a),
32(2) and 41(1) of the Bihar Prohibition and Excise Act, 2018.

3432 litres Indian made foreign liquor has allegedly
been recovered from a truck.



It is alleged that the petitioner and some other persons have requisitioned the illegal consignment.

Learned counsel for the petitioner submits that having no criminal antecedent the petitioner is in custody since 28.11.2020. The petitioner was not apprehended at the time and place of recovery. There is no recovery of any intoxicant from the petitioner. His implication is solely on the basis of some alleged secret information.

Learned APP has opposed the prayer for bail.

Considering the rival submissions as also the facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge-cum-Excise Court, Vaishali at Hajipur in Lalganj P.S. Case No. 175 of 2020, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit 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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