

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15587 of 2021

Arising Out of PS. Case No.-198 Year-2020 Thana- MOTIPUR District- Muzaffarpur

Rajesh Kumar Son Of Late Lal Babu Bhagat Resident Of Village - Sendurai
Gajsingh, P.S.- Motipur, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhavesh Kumar, Advocate

For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 23-11-2021 Let the defects, if any, be removed within four weeks
after complete start of the physical Court.

Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case
registered for the offences punishable under Sections
30(a)/41(1)(2) of the Bihar Prohibition and Excise Act.

Submission is that though allegation is of recovery of
liquor from the house of the petitioner. However, seizure list
would reveal that there is no evidence that who identified the
house of the petitioner. The witnesses of seizure are police
official. No family member was made over the list of seizure
which creates doubt that seizure was made from the house of the
petitioner. The petitioner has stated on oath that he has got no



criminal antecedent.

Considering lack of sufficient material against the petitioner, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs. 20,000/- (rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending in connection with Motipur P.S. Case No.198 of 2020, subject to the condition as laid down under Section 438 (2) of the Code of Criminal Procedure as well as subject to the following conditions:

(a) Both the bailors shall be the resident of territorial jurisdiction of the learned Court-below.

(b) The petitioner shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

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