

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14883 of 2021

Arising Out of PS. Case No.-115 Year-2020 Thana- MANER District- Patna

RAHUL KUMAR @ DHIRAJ KUMAR S/O- Sri Vijay Kumar R/V -
Usharikhurd, P.S. - Sahpur, Distt. - Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kumar Sinha, Adv
For the Opposite Party/s : Mr. Braj Kishore PD., APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 10-09-2021 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 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 connection with Special Case No. 2064 of 2020, arising out of Maner P.S. Case No. 115. of 2020 registered under Section 37(c) of the Bihar Prohibition and Excise Amendment Act, 2018.



Petitioner's arrest is in connection with causing commotion in the shop of one Kusum Devi. He has allegedly fired in the shop and on chasing he has been apprehended.

Petitioner's arrest has led to three cases being lodged, Maner P.S. Case No. 114/2020 in connection with recovery of arms from the petitioner and Maner P.S. Case No. 116/2020 has been lodged on basis of alleged disclosure made by the petitioner leading to recovery of illicit liquor from his maternal-uncle's house. In both the cases as per petitioner's counsel the petitioner is already on bail. The instant case only in relation to the firing and scattering of objects in the shop of one Kusum Devi and that he was caught in an inebriated condition. As per the submission of petitioner's counsel petitioner has no criminal antecedent other than these three cases arising out of the same transaction. In this case he is stated to be in custody since 5.6.2020.

Learned APP has opposed the prayer for bail.

Considering the rival submissions as also the facts and circumstances of the case, this Court for the purposes of grant of bail is inclined to accept the submissions advanced by the petitioner's counsel. 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 Special Judge Excise, Patna in Special Case No. 2064 of 2020, arising out of Maner P.S. Case No. 115 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 giving 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)

SUMIT/-

U		T	
---	--	---	--

