

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.22682 of 2021**

Arising Out of PS. Case No.-765 Year-2020 Thana- DANAPUR District- Patna

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RAHUL KUMAR Son of Sri Banshi Ray Resident of Village - Daudpur, P.S.-
Shahpur, District - Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Amit Kumar Anand, Advocate

For the Opposite Party/s : Mr.Ram Sevak Chaudhary, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 17-08-2021 Learned counsel for the petitioner undertakes to

remove all the defects as pointed out by office within four

weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and learned

A.P.P. for the State.

Petitioner, in the present case, is seeking regular bail

in connection with Special Excise Case No. 7816 of 2020

arising out of Danapur P.S. Case No. 765/2020 registered for the

offences punishable under Section 30(a) of the Bihar Prohibition

& Excise Act, 2018.

As per the prosecution story, while the informant

along with police officials were checking the vehicles near Ram

Janki Mandir, in the meantime, one Tempo came there and on

seeing the police party two persons tried to flee away but on

chase they were apprehended and from their possession total 250 liters of illicit liquor were recovered.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case, the illegal liquor was not seized from the possession of the petitioner, however petitioner is in custody since 31.12.2020 having no criminal antecedent.

Learned A.P.P. for the State has opposed the prayer for regular bail of the petitioner.

Considering the facts and circumstances of the case, wherein it is the submission of learned counsel for the petitioner that the illegal liquor was not seized from the possession of the petitioner, he is in custody in connection with this case since 31.12.2020, he has no criminal antecedent, investigation against him is complete, but the trial is not likely to take place in near future, this court directs release of the petitioner above named on bail on furnishing of bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Patna in connection with Special Excise Case No. 7816/2020 arising out of Danapur P.S. Case No. 765 of 2020, subject to the condition as laid down under Section 437 (3) Cr.P.C.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.