

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24424 of 2021

Arising Out of PS. Case No.-16 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Begusarai

RAHUL KUMAR S/o Dileep Mahto R/o village- Ullao, Ward No. 3, P.S.-
Muffasil (Singhaul), District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Kumar, Adv.
Mr.Chhote Lal Mishra, Adv.
For the Opposite Party/s : Mr.Md.Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 05-07-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual court proceedings.

Learned counsel for the petitioner undertakes to remove the defects, as pointed out by the office, within four weeks of resumption of normal court proceeding. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioner seeks bail in connection with Excise Case No.16C2/2021, registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

Altogether 448.56 liters of foreign liquor is said to have been recovered from the half constructed house of the petitioner.

It is submitted by learned counsel for the petitioner that



petitioner is quite innocent and has not committed any offence as alleged in the F.I.R. He has been falsely implicated in the present case due to ill motive and village politics to save the real culprit. It is further submitted that no incriminating article has been recovered from the conscious physical possession of the petitioner. He has no concern either with the seized liquor or any trade of liquor. The place of recovery is alleged to be the semi constructed house of the petitioner which is an open place and anybody can keep anything easily. Petitioner has no criminal antecedent and has been languishing in custody since 13.01.2021.

Petitioner is agreed to deposit a sum of Rs. 20,000.00 (Rupees Twenty Thousand) in the PM Cares fund, bearing Account No.2121PM20202, IFSC Code: SBIN 0000691, SWIFT Code: SBININBB104, State Bank of India, New Delhi Main Branch, UPI ID : pmcares@sbi.

Having regard to the facts and circumstances of case, let the above named petitioner, be released on bail, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J. II-cum-Special Judge, Excise Act, Begusarai, in connection with Excise Case No.16C2/2021, with the following



conditions:-

(1) One of the bailors will be own close relative of the petitioner who will give on affidavit genealogy as to how he is relative to petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.

(2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial, failing which, his bail bonds shall be liable to be cancelled by the learned court concerned.

The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of Rs.20,000.00 (Rupees Twenty Thousand) in the PM Cares fund.

(Anjani Kumar Sharan, J)

pallavi/-

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

