

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35783 of 2021**

Arising Out of PS. Case No.-30 Year-2019 Thana- KARJA District- Muzaffarpur

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RAJNISH KUMAR @ APPU THAKUR S/O DINESH THAKUR R/O
VILLAGE-PATAHI ROOP, P.S-SADAR, DISTRICT-MUZAFFARPUR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajesh Kumar

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

ORAL ORDER

2 07-07-2021 This matter has been taken up for hearing online
because of COVID-19 pandemic restrictions.

Heard learned counsel for the parties.

This application for grant of regular bail arises out of
Karja P.S. Case No. 30 of 2019, disclosing offences punishable
under Sections 30(a)/41(i) of the Bihar Prohibition and Excise
Act, 2016.

Learned counsel for the petitioner has drawn my
attention to an order dated 16.09.2020 passed in Cr. Misc. No.
18128 of 2020, whereby this Court had granted anticipatory bail
to the petitioner. The fact that the petitioner was apprehended on
24.04.2020 in another case and was remanded in connection
with Kajra P.S. Case No. 30 of 2019 on 24.08.2020, however,



could not be brought to the knowledge of the Court by the learned counsel appearing on behalf of the petitioner in Cr. Misc. No. 18128 of 2020 possibly because of the extraordinary pandemic situation and the mode and manner in which the cases were being taken up by this Court online through video conferencing. Subsequently he had filed an application for regular bail, which was dismissed for default by an order dated 18.03.2021 passed in Cr. Misc. No. 35705 of 2020 as the petitioner had obtained no objection certificate from the coordinating counsel and there was none to press this application.

Learned counsel for the petitioner has submitted that there is allegation of recovery of nearly 75 liters of Indian made foreign liquor from a vehicle belonging to the petitioner.

Be that as it may, considering the fact that a coordinate Bench of this Court had considered it apt to allow the petitioner anticipatory bail and the fact that the petitioner is in custody since 24.08.2020, this application is allowed.

Let the petitioner above-named be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise Act, Muzaffarpur in Karja P.S. Case No.



30 of 2019.

(Chakradhari Sharan Singh, J)

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