

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32175 of 2020

Arising Out of PS. Case No.-306 Year-2020 Thana- KAHALGAON District- Bhagalpur

KUNDAN KUMAR S/o Late Kapser Mandal Resident of Bhakri, Police
Station-Sanokhar, District-Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Praveen Kumar, Advocate
For the Opposite Party/s : Mr. J.K.Singh, APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 05-01-2021 Heard learned counsel for the petitioner and learned
APP for the State. Learned counsel for the petitioner has filed an
undertaking to remove all defects pointed out by the Stamp
Reporter as and when required. It is accordingly directed that all
defects pointed out by the Stamp Reporter be removed within
one month hereof.

2. The petitioner is in custody since 27.05.2020 in
connection with Kahalgaon (Ghogha) P.S. Case No. 306 of 2020
for the alleged offences under Sections 30(a) and 56(d) of the
Bihar Excise and Prohibition Act, 2016.

3. It is submitted that the petitioner has been falsely
implicated in connection with recovery of 70.5 litres of country
spirit from an auto rickshaw. It is submitted that the petitioner
is alleged to be the driver of the said vehicle and was not aware
about the offending goods in the vehicle. The petitioner has
already suffered more than seven months in custody and claims
clean antecedents.

4. Learned APP appears and has been heard.

5. Be that as it may and having regard to the period of



custody already suffered since 27.05.2020, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Special Judge, Excise, Bhagalpur in connection with Kahalgaon (Ghogha) P.S. Case No. 306 of 2020, if he is not otherwise required in any other case.

6. Office shall follow-up to ensure that all defects are removed and compliance with the notices of this Court are made by the petitioner within the stipulated time provided in para 1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Vikash Jain, J)

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