

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34202 of 2020

Arising Out of PS. Case No.-497 Year-2020 Thana- SAHARSA District- Saharsa

KAUSHAL RAI @ KAUSHAL KUMAR RAI @ KAUSHAL KUMAR, Son
of Shri Ramesh Rai @ Ramesh Roy, Resident of Mohalla - Tiwary Tola, Ward
No. 31, P.S. and District - Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Mishra, Advocate

For the Opposite Party/s : Mr. Sunil Kumar Pandey, A.P.P.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 04-01-2021 Let the defects be removed within four weeks.

Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 30(a), 58(1), 41(1) of the
Bihar Prohibition and Excise Act, 2016, Sections 419 and
420/34 of the Indian Penal Code.

Recovery of liquor is alleged from a four wheeler.
Petitioner was not there at the time of recovery. However,
identity of the petitioner was established on the basis of CCTV
footage. Petitioner is in custody since 08.07.2020. Investigation
of the case is already complete against the petitioner. Though
the petitioner has got criminal antecedent of other nature,
however, in this case there is no substantial material against the



petitioner.

Let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Special (Excise) Case No. 240 of 2020 arising out of Saharsa Sadar Police Station Case No. 497 of 2020, subject to the following conditions:-

(a) The petitioner shall fully cooperate with the investigation/trial of the case, failing which the learned court below shall be at liberty to cancel the bail bond of the petitioner.

(b) Both the bailors shall be resident of the territorial jurisdiction of the learned court below.

(Birendra Kumar, J)

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