

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39596 of 2020

Arising Out of PS. Case No.-119 Year-2020 Thana- CHAND District- Kaimur (Bhabua)

Ritesh Kumar@Sonu Kumar S/o Dhaneshvar Singh R/o Village- Ghatmapur,
P.S.- Mufassil, District- Rohtas (Sasaram)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rajesh Kumar Mishra, Advocate
For the State	:	Mr. Arun Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 20-02-2021 Heard learned counsel for the petitioner and the learned
APP for the State.

Learned counsel for the petitioner is expected to honor his undertaking given in the instant case for depositing the requisite court fee and to remove the defects as pointed out by office when called upon.

The petitioner seeks bail in Chand PS Case No.119 of 2020 instituted for the offence under Sections 414/34 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

272.640 litres of foreign liquor has allegedly been seized from a vehicle in which the petitioner was travelling.

It is submitted by the petitioner's counsel that the petitioner is in custody since 06.07.2020. One criminal case is pending against him in Sasaram PS Case No. 251 of 2020 in which he is on bail. The seizure is in contravention of Section 100 Cr PC. It is a case of false implication. The petitioner is not the owner of the vehicle.



The learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, 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, Kaimur at Bhabua, in connection with Chand PS Case No.119 of 2020, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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