

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5844 of 2021

Arising Out of PS. Case No.-103 Year-2020 Thana- NOWKOTHI GARHPURA District-
Begusarai

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Rakesh Mahto @ Rakesh Kumar Roy @ Rakesh Raj, Son of Sri Rajendra Roy, Resident of Village - Darha Pool (Bridge), P.S. Bakhri, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shaishav Kumar, Advocate
For the Opposite Party/s : Mr. Ganesh Prasad Singh, APP.

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 15-04-2021

Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the offence punishable under Section 30(A) of the Bihar Prohibition & Excise Act.

Informant has alleged that on secret information that 10-15 persons including petitioner were unloading and loading foreign liquor in vehicles, he reached said place and on seeing police they started fleeing away. He searched the vehicle and total 3663 bottle of foreign liquor (total 1263.09 liters) were recovered from the pick-up van.

It has been submitted on behalf of the petitioner that he is innocent and has falsely been implicated in this case. Nothing was recovered from the conscious possession of the



petitioner and he was not apprehended on the spot and has been implicated on hearsay. Petitioner is not the owner or driver of the pick-up van. Petitioner has no criminal antecedent and he is in custody since 15.09.2020.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Nowkothi P.S. Case No. 103 of 2020 with following conditions:-

- (1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court.
- (3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.
- (4) If the petitioner is found involved in similar nature of offences, after his release on bail the



trial court shall take steps to cancel his bail
bond.

(S. Kumar, J)

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