

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5921 of 2021

Arising Out of PS. Case No.-251 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Nawada

=====

RAUSHAN KUMAR SON OF RAJIV PRASAD RESIDENT OF VILLAGE-
PATEL NAGAR,P.S-AKBARPUR, DISTRICT-NAWADA

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

=====

Appearance :

For the Petitioner/s : Mr.Mrigendra Kumar, Advocate
For the Opposite Party/s : Mr. Pranav Kumar, APP

=====

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 23-06-2021

In view of sudden surge of COVID – 19 infection there is limited functioning of the High Court and therefore the matter has been listed for consideration through virtual mode.

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

This Court would expect that the petitioner's Counsel would honour his undertaking in the instant proceedings regarding supply of requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

Petitioner seeks bail in G.O. Case No. 251 of 2020 registered under Section 30(a) of Bihar Prohibition and Excise Act, 2016 .

On a secret information the police have gone to the railway line. Besides the railway line 115 liters country made liquor and 2400 Kilograms illicit Mahua solution have been recovered.

It is submitted by learned Counsel for the petitioner that even as per prosecution case recovery is from besides the railway track which is a public place, having general public access and by no stretch of imagination recovery can be attributed to any individual.



The recovery is not in accordance with law. Having no criminal antecedent the petitioner is in custody since 19.10.2020.

Learned APP has opposed the prayer for bail.

Considering the rival submissions as also the facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of 2nd Additional Sessions Judge -cum- Special Judge, Nawada, in G.O. Case No. 251 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)

SNkumar/-

U		T	
---	--	---	--

