

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7436 of 2021

Arising Out of PS. Case No.-216 Year-2020 Thana- NARHATT District- Nawada

Rahul Kumar, Son of Ashok Kumar, Resident of Village- Khairati Bigha, P.S.-
Hisua, Distt- Nawada

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gopal Bohra, Advocate

For the Opposite Party/s : Ms. Pushpa Sinha, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 01-02-2021 Heard learned Counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in connection with Narhat
P.S. Case No.216 of 2020 registered for the offence punishable
under Sections 30(a) of the Bihar Prohibition and Excise Act,
2016.

40 litres each country made *Mahua* is alleged to
have been recovered from two motorcycles on which four
persons, including the petitioner, was moving.

Counsel for the petitioner submits that the petitioner
has no concern with the recovery. Recovery is not in accordance
with law and there is no forensic opinion to support the
allegation that the recovered substance is intoxicant. The
petitioner has no criminal antecedents and he is in custody since



04.09.2020.

Learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, this Court is inclined to allow the petitioner's prayer for bail.

Accordingly, 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 A.D.J.-II-cum-Special Judge, Excise, Nawada, in connection with Narhatt P.S. Case No.216 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.

This Court would expect that the petitioner's counsel



would honour his undertaking in the instant proceedings regarding supply of the requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

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