

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9122 of 2021

Arising Out of PS. Case No.-424 Year-2020 Thana- KADAMKUAN District- Patna

Rahul Raj Son of Lalan Prasad, R/o- Kashinath Lane, P.S.- Kadamkuan,
District- Patna. Petitioner/s

Versus

The State of Bihar. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Jiban Pd. Singh, Advocate
For the Opposite Party/s : Mr. Ram Sevak Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 02-07-2021 In view of sudden resurgence 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 Kadamkuan P.S. Case No. 424 of 2020, Special Case No. 5891 of 2020 registered for offence punishable under section 30 (a) of the Bihar Prohibition and Excise Act.

From the house of the petitioner there is alleged recovery of 97.260 litres of foreign liquor.

Petitioner's counsel submits that it is a case of false



implication. The petitioner is in custody since 07.10.2020 and has no criminal antecedents. Seizure list is not in accordance with law.

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 learned Special Judge, Excise, Patna in Kadamkuan P.S. Case No. 424 of 2020, Special Case No. 5891 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 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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