

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11461 of 2022

Arising Out of PS. Case No.-1051 Year-2021 Thana- MUZAFFARPUR TOWN District-
Muzaffarpur

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RAJU KUMAR @ KAKO Son of Shankar Mahto Resident of Village -
Saraiyaganj, Noonfar, Behind UB Tower, Ward No. 19, P.S. - Nagar, District -
Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manoj Kumar, Advocate
For the Opposite Party/s : Mr.Parmanand Kumar

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 13-06-2022 Heard learned counsel appearing on behalf of the

petitioner and learned A.P.P. for the State.

Let the defect(s) be removed within two weeks of the
complete start of the physical Court in normal course.

The petitioner seeks regular bail in connection with
Town P.S. Case No. 1051 of 2021, for the offence punishable
under Section 272 and 273 of the Indian Penal Code and Section
30(a) of the Bihar Prohibition and Excise Act, 2016.

As per the allegation made in the F.I.R. altogether
5.04 litres of Indian Made Foreign Liquor and 20 litres of
country made liquor was recovered from the shop of the
petitioner.

Learned counsel appearing on behalf of the petitioner
submits that petitioner is innocent and he has falsely been



implicated in this case. He further submits that nothing has been recovered from the conscious possession of the petitioner. He further submits that petitioner is in custody since 29.12.2021.

Learned A.P.P. for the State has opposed the prayer for grant of bail to the petitioner. It is specific case of the State that trade of illicit liquor is rampant in the State of Bihar and by consuming country made illicit liquor huge tragedy takes place. It has also been pointed out that the petitioner is one of the traders, who involved in the sell of illicit liquor in the State of Bihar in an organized manner as such petitioner does not deserve to be released on bail.

Considering the aforementioned facts and circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs. 2,00,000/- (Rs. Two Lakh) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise, Muzaffarpur in connection with Town P.S. Case No. 1051 of 2021, subject to the 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 offence, after his release on bail, the trial Court shall take steps to cancel his bail bonds.

(Purnendu Singh, J)

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