

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22877 of 2021

Arising Out of PS. Case No.-685 Year-2020 Thana- BEGUSARAI TOWN District- Begusarai

RAKESH KUMAR SON OF BRAJ MOHAN SINGH RESIDENT OF
VILLAGE- PASHAMI DAFFARPUR, WARD NO. 5, P.S. NAWKOTHI,
DISTRICT- BEGUSARAI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam, Adv

For the Opposite Party/s : Mr. Asha Devi, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 03-01-2022 Heard learned counsel appearing on behalf of the
petitioner and learned APP appearing on behalf of the State.

Petitioner who is in custody since 10.12.2020 seeks
regular bail in connection with Town P.S. Case No. 685 of 2020
registered for offences punishable under Section 30(a) of the
Bihar Prohibition and Excise Act, 2016.

Prosecution case in brief is that 134.64 litres of
foreign liquor was recovered from the house of one Rajesh
Singh who fled away from the spot on seeing the patrolling
team and the petitioner got apprehended.

Learned counsel appearing on behalf of the petitioner
submits that petitioner is the brother-in-law of the co-accused
Rajesh Singh and the alleged liquor was found below the stairs
of the house of Rajesh Singh. He further submits that co-



accused Rajesh Singh has already been released on bail vide order dated 24.11.2021 passed in Cr. Misc. 27479 of 2021 and as such petitioner may also be released on bail.

Learned A.P.P., however opposes the prayer for bail.

Considering the above mentioned facts and circumstances of the case, learned Court below is directed to verify as to whether any other criminal case is pending against the petitioner and if there is no other criminal case is pending against the petitioner, the petitioner is directed to be released on bail upon furnishing bail bond of Rs. 1,00,000/- (Rupees One Lac) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge II, Begusarai cum Special Judge, Bihar Prohibition and Excise Act in connection with Town P.S. Case No. 685 of 2020 subject to the following conditions:

(i) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(ii) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(iii) If the petitioner tempers 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.

(iv) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel their bail bond.

(Purnendu Singh, J)

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