

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23464 of 2022

Arising Out of PS. Case No.-8 Year-2022 Thana- KALER District- Jehanabad

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Rakesh Kumar Son of Shri Bhagat Singh Resident of Kharabar, P.S.- IMT,
District - Rohtak (Hariyana)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shivendra Prasad, Advocate.

For the Opposite Party/s : Mr. Md. Shakir Ahmad, APP.

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 04-08-2022 Let the defect, if any, be removed within two weeks
from today.

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

The petitioner seeks regular bail in connection with
Kaler P.S. Case No. 08 of 2022 lodged under Sections 30(a) and
42 of the Bihar Prohibition & Excise Act.

The prosecution case is that, total recovery of 5727.6
liters of English wine were made from the truck.

Learned counsel for the petitioner submits that
petitioner is innocent and under a hatched conspiracy he was
assigned the work by his owner to run this truck. He also
submits that petitioner is basically driver of other truck. He
further submits that antecedent of petitioner is clean and he is in

custody since 22.01.2022, chargesheet has already been filed in this case.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.50,000/- (Rupees Fifty thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge (Excise) II, Jehanabad in connection with Kaler P.S. Case No. 08 of 2022, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall resulted into cancellation of his bail bond.

B. One of the bailor shall be close relative who shall file affidavit before the court about his relation with the petitioner.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal

activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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