

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24814 of 2022

Arising Out of PS. Case No.-7 Year-2022 Thana- PHULWARIA District- Begusarai

PIYUSH KUMAR @ KARI KUMAR S/o Late Shatrughan Rai @ Late Nago
Rai @ Late Shatrudhan Roy R/o village- Sokhara-1, Ward No. 10, P.S.-
Fulwaria, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md Fazle Karim

For the Opposite Party/s : Mr.Indu Kumari Srivastava

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 16-08-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect (s), as pointed out by the office, be removed within a period of four weeks from the date of resumption of physical filing and physical removal of defect.

In the present case, the petitioner seeks bail in connection with Fulwaria P.S. Case No. 07 of 2022 registered for the alleged offences under Sections 188 and 414 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per prosecution case, the recovery of 375 ml of India made foreign liquor was made from this petitioner who was apprehended from the spot and his motorcycle was also



seized as he did not show any documents for its ownership.

Learned counsel for the petitioner submits that the alleged recovery and seizure has been forged by the police and due to some grudge, the police arrested this petitioner from his house and has shown the recovery to implicate this petitioner, otherwise the petitioner has got no concern either with the seized motorcycle or the recovered illicit liquor. Charge sheet has been submitted in this case and the petitioner is in custody since 11.01.2022.

Learned APP opposes the prayer for bail of the petitioner.

Having regard to the submission made hereinabove and considering the quantity of liquor recovered from this petitioner along with submission of charge sheet and period of custody of the petitioner, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Excise Judge-1, Begusarai in connection with Fulwaria P.S. Case No. 07 of 2022, subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also the following conditions:

(i) The bail bond of the petitioner will



be accepted only after framing of charge, if not already framed.

(ii) One of the bailors will be a close relative of the petitioner.

(iii) The petitioner will remain present on each and every date fixed by the court below.

(iv) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

Gautam/-

U		T	
---	--	---	--

