

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42422 of 2021

Arising Out of PS. Case No.-62 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- West Champaran

=====

RAKESH SAH @ RAKESH KUMAR Son of Shiv Shankar Sah Resident of
Village - Basantpur, Police Station - Sathi, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Sachida Nand Rai, Advocate
For the Opposite Party/s : Mr.Tarun Prasad Mandal, A.P.P

=====

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 29-01-2022 Heard the parties through video conferencing.

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, who is in custody since 23.03.2021,
seeks regular bail in connection with Bettiah Excise Case No.
62 of 2020, for the offence punishable under Sections 30(a) of
the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in brief, is that altogether 185
litres of illicit country made liquor was recovered from lonely
place near the bank of canal of south of village-Mishrauli
Kalwar Patti. Accordingly, seizure-list was prepared.

Learned counsel appearing on behalf of the petitioner



submits that nothing has been recovered from the possession of the petitioner. He further submits that petitioner has been made accused because, he has been made accused in other cases. The petitioner is in custody since 23.03.2021.

Learned A.P.P. for the State has opposed the prayer for bail.

Considering the aforementioned facts and circumstances of the case, nothing has been recovered from the possession of the petitioner and considering the period of custody, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 1,00,000/- (Rs. One Lakh) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise Act, Bettiah, West Champaran in connection with Bettiah Excise Case No. 62 of 2020, 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)

manish/-

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

